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# SUMMARY

OF THE

BILL INTRODUCED INTO PARLIAMENT,

BY

F. PIGOTT, Esq., M.P.,

ENTITLED

AN ACT FOR THE BETTER REGULATION OF  
MEDICAL RELIEF TO THE POORER CLASSES  
IN ENGLAND AND WALES,  
&c., &c., &c.

WITH A COMMENTARY THEREON,

AND A LETTER

TO THE MEMBERS OF THE LEGISLATURE.

BY

RICHARD GRIFFIN, J.P., M.R.C., & L.S.A.,

CHAIRMAN OF THE

Poor Law Medical Reform Association.

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1860.

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# POOR LAW MEDICAL REFORM ASSOCIATION.

12 ROYAL TERRACE, WEYMOUTH,  
APRIL, 1860.

MY LORDS AND GENTLEMEN,

A BILL has been introduced into the House of Commons by Mr. PIGOTT, entitled—"An Act for the better regulation of Medical Relief to the poorer classes in England and Wales, and other Measures of a Medical Character for the welfare of the People."

In May, 1854, the Hon. Gentleman moved for the appointment of a Select Committee "to enquire into the mode in which Medical Relief is now administered in the different Unions in England and Wales, and to ascertain whether any additional facilities might be afforded the poor in obtaining Medical Relief." The Committee sat many days, and obtained an immense mass of evidence, which the House ordered to be printed. From that evidence, and from an extensive correspondence with the Poor Law Medical Officers, and frequent Meetings of them, and Deputations to the Poor Law Board, the Bill now before the House has been framed, and Mr. Pigott, who so well understands the entire bearings of the case, has kindly introduced it. The Bill has been called "The Doctor's Bill," and that it has emanated from them I will not deny; but who so likely to know the wants of the poor as those who are continually among them? It is, however, their Bill only, so far as it enables them honestly to do their duty to the poor. The Bill is, essentially, the Poor Man's Bill; it is also the Ratepayer's Bill; as that which prevents or lessens sickness amongst the poorer classes, must cause a diminution of the rates.

On several occasions I have addressed the Members of the Legislature on this subject, but as there are many Hon. Gentlemen now in the House who have not seen those communications, I have been induced to write a Commentary on the Bill, in order that they may understand the motives which have influenced us in framing each Section. It is possible some of these clauses may require modification; should such be the case, I pray you not to reject the Bill on that account, but allow it to go into committee, and there make it suitable to the requirements of the community at large.

The Poor Law Board in their instructional letter, dated March 12th, 1842, stated:—"It is the earnest wish of the Commissioners to carry into effect the recommendation of the Committee of 1838, 'that the remuneration of Medical Officers shall be such as to insure proper attention and the best medicines, and the Guardians will doubtless perceive, that, unless the Medical Officers be adequately remunerated, no vigilance on their part will suffice to procure proper attendance and medicine to the poor under their care.'"

The above was written in 1842, and yet in the year 1857, when a return, moved for by Lord Elcho, was laid before Parliament, the average payment throughout the kingdom was only three shillings and one penny per case; many of the Medical Officers actually receiving but a few pence, in one instance two-pence, per case. With such a state of things, is there not a fear the poor may suffer, and the ratepayers also?

The salaries of the District Medical Officers now amount to £154,729; if from this £54,842 be deducted as the cost of drugs, at only 1s. per case of illness, the actual sum in forty-five Unions being 1s. 1½d., and £73,106 for acreage, (at only one half-penny per acre, as a slight allowance towards the expenses for horses, in Country practice) it will leave a balance of but £26,781, which it divided by 1,094,939 cases of illness in the Districts in the year ended March, 1857, there will remain but 5½d. as a remuneration for professional skill, loss of time, and the labour in attendance on the sick, the average duration of whose illness is 22 days for those not on the permanent list, and a still longer period if the latter be included; but even this sum is so unequally divided that two Divisions have nothing, one but a 1½d. per case, whilst another Division has 1s. 1½d.

The Poor Law Board, in their minute, dated October 31, 1840, say, "It is difficult to over-rate the importance to a Union of possessing a body of efficient paid officers. Without efficient paid officers no Union, of whatever size, can conduct its Poor Law business in an economical and satisfactory manner; although the vigilant superintendence of the Guardians is necessary to the well-working of the Union, it is not alone sufficient. Here and there an individual

candidate, well-fitted for a Union Officer, may, from peculiar circumstances, be willing to accept it for an inadequate salary; but even he will probably, after a short time, become dissatisfied and will desire to transfer his services to some other Union, or to seek some other employment." The correctness of this minute is proved by the fact that during the last five years, 1,418 Medical Officers have resigned their appointments.

By the Bill now before the House, the Medical Officers ask but 2s. 6d. for each ordinary case of illness, where the Guardians find the medicines, or 3s. 6d. where the Medical Officers find them. The acreage at one penny per acre will certainly add 2s. 2d. as an average payment for each case, but of this the Medical Officers of Town Districts will receive next to nothing. These sums added together will realize an average payment of 4s. 8d. per case, when the Guardians find the medicines, and 5s. 8d. when the Medical Officers find them; a sum actually less than that which was recommended by the Poor Law Commissioners in 1839, (see page 17,) as they recommended "6s. or 6s. 6d. per case for paupers in rural districts, and an amount not to exceed 10s. for those not on the pauper list, with extra fees for Midwifery and Surgical Operations." A new Table of Fees will probably increase the Extras by one-third, and thus give an additional average payment of 9d. per case.

As a question will naturally arise as to the expense to be entailed on the Nation by the proposed Bill, I here give that part relative to Medical Relief as nearly as it can be ascertained, the calculations having been made on the Return moved for by Lord Elcho, and laid before Parliament in 1857:—

For 1,346,947 cases of illness, at 2s. 6d. each .....	£168,368
For acreage .....	1d. per acre 146,210
Visits at the workhouses, say .....	11,000

This it is proposed to be a charge on the County Rate. ....	£325,578
Cost of Medicines, or Dispensaries, at 1s. each case of illness..	£67,347
This it is proposed shall be a charge on the Consolidated Fund.	
Cost of Extra Medical Fees, say .....	50,000
This is to be a charge on the Common Fund of the Union.	

Total.....	£442,925
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#### PRESENT PAYMENTS.

By annual vote of Parliament, half of Salaries .....	92,827
Common Fund of Union, ditto, ditto .....	92,827
By ditto, and parishes, Extra Medical Fees .....	36,386
	£222,040

Proposed increased expenditure .....	£220,885
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The above may appear a considerable increase, and in round numbers, it certainly looks so; but is it more than the Medical Officers ought to have? Is 2s. 6d. without medicines, or 3s. 6d. with, too high a payment for attending an illness, the average duration of which is 22 days? Can any Hon. Gentleman rise in the House, and conscientiously say that it is?

The Right. Hon. T. Sotherton Estcourt, the President of the Poor Law Board, in February, 1859, concluded his address to the Deputation of Poor Law Medical Officers in these words—"The matter ought not to continue in its present state, and if I remain in office, I shall use the best means in my power to put this question on a better footing, and to make such arrangements as will be satisfactory both to you and the public."

I therefore pray you to carry out the intentions of the Right-Honorable Gentleman; and I firmly believe, no better Bill, upon the whole, can be devised than that introduced by Mr. Pigott, and now before you, which it passed into law, will be, to quote the words of Mr. Estcourt, "satisfactory to the Medical Officers and the public."

I have the honor to be, My Lords and Gentlemen,  
Your most obedient Servant,

RICHARD GRIFFIN,  
CHAIRMAN.

*To the Members of the Legislature.*



# SUMMARY OF A BILL,

NOW BEFORE PARLIAMENT, "FOR THE BETTER REGULATION OF MEDICAL RELIEF TO THE POORER CLASSES IN ENGLAND AND WALES, AND OTHER MEASURES OF A MEDICAL CHARACTER FOR THE WELFARE OF THE PEOPLE,"—WITH A COMMENTARY THEREON.

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The No.— at the commencement of a paragraph in this Commentary refers to similar numbers in the evidence laid before the Select Committee of the House of Commons, on Medical Relief, in 1854; the other Nos. relate to the Tables, [see pages 35, 36, 37, 38.] Where Art. is mentioned, it means the Articles in the orders of the Poor Law Board.

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SECTION 1 Facilitates the obtaining of Medical Orders by the poor, as the Clergyman and Overseers of each Parish, and the Magistrates, in a Union, will have power to grant them, as well as the Relieving Officer.

By the law as it at present stands Guardians have the power to grant relief, but it is well known that out of the Board Room they are not entitled to exercise it. The 4th and 5th Wm. IV. cap. 76, sec. 38, declares "no *ex-officio*, or other Guardian, shall have power to act in virtue of such office, except as a member, and at a meeting of such Board;" the power, therefore, when the Board is not sitting actually rests with the Relieving Officer, as will be seen by referring to Art. 215, No. 3, "in any case of sickness or accident requiring relief by medical attendance, to procure such attendance by giving an order on the District Medical Officer, or by such other means as the urgency of the case may require." In sudden and urgent cases, however, the Overseers and Magistrates have power to grant medical orders, as will be seen by the annexed quotations.

By the proposed plan, the poor will have far greater facilities in obtaining medical orders than at present, as they now have very frequently to walk many miles before they can reach the house of the Relieving Officer, and even then it is sometimes with difficulty an order can be procured, as he is often absent on his rounds visiting the poor in a district, perhaps, of many miles in extent, or he is too busy with his multifarious accounts to be disturbed, or does not choose to be incommoded by the poor coming at, what he considers, unseasonable hours, and therefore sends them away to come again next day; and were it not for the Medical Officer frequently attending without an order, the poor would be sadly neglected; but if a per-*se* payment be adopted, it will be absolutely necessary for a Medical Officer to have an order, as that will be the only voucher of his attendance.

As the Overseers and Magistrates have now the power to grant orders, "in sudden and urgent cases," it is proposed to allow them to do so in all cases; and thus prevent the endless disputes between Guardians, Overseers, and Medical Officers as to the definition of "sudden and urgent," and consequent appeals to the County Courts. The Clergyman it is also proposed shall be allowed to give orders as well as the Overseers and Magistrates as those who live in the parish, are surely far better judges of the pecuniary means of a person, not actually a pauper, than the Relieving Officer, who may live miles away. Should orders be improperly given, the Board of Guardians will have the power, by Section 2, to strike the names off the books, or declare the relief to be a loan.

By examining the Table, [No. 1,] it will be seen that 1,094,939 persons were under the care of the District Medical Officers in the year ended March, 1857, therefore the importance of affording facilities for their obtaining Medical orders, will be apparent.

"A Justice may order an Overseer to give relief in cases specified in the Poor Law Amendment Act (4 & 5 Wm. 4, c. 76, sec. 54). With regard to parishes where the poor are still maintained under the 43rd Eliz. c. 2, the larger powers given to Justices over Overseers by the 3rd Wm. & Mary, c. 11, and the 9 Geo. 1, c. 7, still remain." *Off. Cir. P. L. Board, April, 1850.*

"The Justice, before granting an order for medical relief, need not call upon the Overseer to show cause why he refused to give such relief; although of course, he will be bound to satisfy himself that the case is really one of illness so sudden and dangerous as to justify his making an order on the Overseer." *Off. Cir. P. L. Board, March, 1844.*

By the 4th and 5th Wm. IV, cap. 76, sec. 54, "Overseers shall not give any further relief or allowance from the poor rate, than such as shall be ordered by such Guardians or Select Vestry; except in cases of sudden and urgent necessity, in which cases he is hereby required to give such temporary relief as each case shall require."

No. 622. "I think that if medical relief had been given to the independent labourers more profusely than it was, it would have kept many from becoming eventually paupers."—*R. Boyd, Esq., M.D.*

No. 634. "I believe that the labouring classes cannot afford to pay for medical attendance; an exception may occur, now and then, but we must talk of the poor as we find them—and as a rule they cannot; it is true, they do attempt it, run into debt, lose their independence and self respect, and become dependent parish paupers, if nothing worse."—*R. Boyd, Esq., M.D.*

No. 1023. "A labouring man, with 10s. a-week, could not find medical relief."—*Mr. G. Chick.*

No. 1029. "I am decidedly of opinion that if medical relief were more freely given there would be less pauperism."—*Mr. G. Chick.*

No. 1389. "The importance of giving to every labourer, every working man, an opportunity of receiving medical advice without any expense on his part, is of the first consideration; because the absence of medical attendance at the very time when it is most needed, frequently results in the individual becoming for a lengthened period ill, and, consequently, a burden upon the parish, or if it terminate fatally, then his family becomes a still more serious burden."—*Rev. C. Oxenden.*

No. 1392. "I think it most important to extend the system of medical relief beyond the mere poor, so as to prevent persons from becoming poor; the doctor's bill is the bill which breaks down the labouring man."—*Rev. C. Oxenden.*

Nos. 2624 & 2740. "The number of paupers made paupers through sickness, constitutes 72 per cent. of all those made paupers through all causes. The 72 per cent. is not a matter of opinion, but matter of fact."—*G. Wallis, Esq., M.D.*

No. 2626. "The working classes are estimated by Henry Mayhew at 4,000,000; it is a matter of fact, which, I believe, has been given in evidence before, that you may expect one half of those will be sick every year. If you consider the working classes form the material out of which you make all your paupers, you will see the great importance of protecting that large class, who are so important to the interests of the country, from pauperism, and letting them remain useful and valuable producers, instead of being a dead weight upon the productive interests of this country; the moment he becomes sick his independence is cut off, it cuts off his power to labour, and, by cutting off his power to labour, destroys his means of independence; support him, by giving him a little medical aid when necessary, and thus prevent him becoming a pauper."—*G. Wallis, Esq., M.D.*

No. 1030. "Medical relief should be given in the onset of the illness."—*Mr. G. Chick.*

No. 1246. "I think the system of medical relief altogether deficient. I find there are great impediments in the way of obtaining orders for relief."—*M. B. Garrett, Esq.*

No. 1347. "I felt, as a Medical Officer, that I could not do justice or my duty to the poor, in consequence of the opposition I met with from the Relieving Officer."—*M. B. Garrett, Esq.*

No. 1380. "Pauperism is very largely increased by the want of proper medical aid."—*Rev. C. Oxenden.*



SECTION 2 Empowers the Guardians to strike off the books the names of all persons who are capable of paying for Medical Relief, but the Guardians must pay the 3s. 6d., or the 2s. 6d., as the case may be, to the Medical Officer for his past attendance, or the whole, or part of the fee for certain accidents and operations therein described; which payment they may, if they think desirable, declare to be a loan.

This section gives the power to the Guardians to decide on the course to be pursued if orders have been improperly given by the parties named in Section 1, and it leaves the entire control of medical relief in the hands of the Guardians, whose duty it will be to examine the books of the Medical Officers each Board-day, and inquire into the circumstances of the persons recorded therein, as is provided by Art. 41, Nos. 3, 5, and should it appear to the Board that the parties are not legitimately entitled to medical relief at the expense of the ratepayers, they will declare the relief already granted, or hereafter to be granted, to be a loan, (see 4 and 5 Wm. IV., cap. 76, sec. 58), or the Guardians will strike the patient's name off the books, and pay the medical man a sum of 2s. 6d. or 3s. 6d., as the case may be, for his past services; additional remuneration, however, being allowed for severe surgical cases or midwifery. The Wayland Union has the following regulation on the subject:—

“If, however, the Board shall not think fit to confirm any provisional order for medical relief, which shall have been duly reported by the person giving the same, the clerk shall forthwith give notice thereof to the Medical Officer, who shall in that case be entitled to 2s. 6d. for his past attendance, provided the case shall appear in the weekly return of cases previously to such notice, but not otherwise.” Nov. 20, 1844.

The Poor Law Board in their minute, dated April, 1840, say, “If the system of giving medical relief by way of loan be gradually adopted, those who find that they will ultimately have to pay for the relief which they obtain from the poor rates, will find it to be so obviously their interest to have recourse to Medical Clubs or Friendly Societies, or other similar institutions, that the Commissioners look forward with confidence to an increase and prosperity of institutions of this nature, and the consequent growth of forethought and frugality amongst the labouring classes.”

Arts. 182, 183, bear upon the midwifery portion of this section but, they are open to dispute, if the case be attended without an order; this section, however removes all doubt, and ensures the fee to the Medical Officer, but allows the Guardians to declare the relief given to be a loan, if they consider the expense ought not to fall upon the ratepayers.

#### LOAN IN MIDWIFERY CASES.

Medical assistance only forms a part of relief to the destitute poor, and the same rules and principles apply to it as those which are applicable to any other kind of relief. The Board usually recommend the Guardians, as the midwifery fee allowed to Medical Officers is an extra one, to cause it to be understood that relief of the nature in question will be granted by way of loan; and that the repayment of the whole, or of such parts of the fee as the Guardians might determine, would be rigidly enforced by them, and to direct the Relieving Officer to notify the fact to every one who may apply to him for an order. *Off. Cir. P. L. Board, May 2, 1856.*

CHILD BIRTH.—MEDICAL RELIEF TO THE WIFE OF A MAN WHO GENERALLY EARNS 18s. PER WEEK, BUT IS NOW OUT OF WORK.

Relief may be given by way of loan, in which case it is necessary that the relief be declared to be a loan at the time it is given, and that the pauper be at the same time so informed. *Off. circular, P. L. Board, May, 1846.*

RELIEF TO MEMBERS OF FRIENDLY SOCIETIES.—(Copy of a Minute of Poor Law Commissioners.)

If the applicant has the right to the attendance of a medical man and medicines, in respect of his belonging to a Friendly Society, this will, of

course, not be one of the wants to be provided for by the Guardians. If he has not this right the Guardians will give him medical relief in the same manner as it would be given to any other person unable to provide it for himself.

In the administration of medical relief in this class of cases (members of Friendly Societies), the Commissioners recommend to the Guardians that they should in general give the relief by way of loan, and enforce strict attention to the recovery of the loan by instalments, however small, after the party relieved has returned to his labour.

The Commissioners in their quotation of the Highland Society of Scotland, say, "*but above all, they had the benefit of medical advice without any expense in the particular case; and being thereby induced to make early application, disease was cut short at once on its first appearance.*" April 4, 1840.

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SECTION 3 Fixes a quarter of a year as the period a patient may remain on the books of a Medical Officer, after which, he shall be counted as a fresh patient, excepting in the case of a person whose order has been received only one week before the expiration of the quarter, or where a fee has been claimed, when the case shall remain on the books until the subsequent quarter day, unless struck off before, by the Medical Officer.

This section fixes the time a medical order is to continue in force. When a patient is once on the books of a Medical Officer he may continue there for years, and the medical man is bound to give his attendance so long as an ache or a pain is declared to exist. An inquiry into these cases would lead to many of them being struck off the books, and a great saving of meat in consequence, as it is for that object they too frequently continue their complaints; but the Medical Officer is now afraid of striking their names off the books for fear a charge of neglect might be brought against him, but if it was done with the sanction of the Board at their quarterly consultation with their Medical Officers, then the latter would be protected. Should, however, the case be of a serious character, and require a longer attendance, it is but fair the Medical Officer should be remunerated accordingly. At present the average duration of an illness is 22 days for those not on the permanent list, [No 28.] and if these be included, it will be a still longer period; the quarterly arrangement therefore, with the certainty of not less than a week's attendance, is fair; the week's attendance is appended to prevent orders being withheld during the last week of a quarter. Those cases where extra fees are claimed will continue on the books until the ensuing quarter day, unless previously discharged in the usual way. The quarterly attendance has been recognized for a long time by one Board of Guardians at least, as will be seen in the report of the evidence laid before the Select Committee of the House, in reference to the Wayland Union, "If such order shall be then confirmed by the Board, the Medical Officer shall receive for his attendance on the same, the sum of 7s. 6d., which sum shall be considered due and be payable at the close of the quarter in which the sickness shall have commenced."

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SECTION 4 Allows a Medical Officer to decline to continue an attendance on a sick person unless an order be procured, but should he continue to attend, and the Guardians at their next meeting do not object to the sick person's right to have an order, then the Medical man shall be remunerated. The holder of an order for Medical Relief shall be entitled to Medical assistance during child-birth.

This section facilitates the obtaining of medical assistance in "sudden and urgent cases." By the present rules of the Poor Law Board, a medical man is not bound to attend any one without an order, but if he should do so, he is compelled to continue his attendance until the Board of Guardians sanction the reverse, which, perhaps, may not be until after

a lengthened correspondence, the patient getting cured, or dying, before its termination. A medical man might, therefore, decline to render his services without an order, and thus cause suffering to the poor. Reverse the system, and the medical man will go readily, knowing that if the patient should not be of the class entitled to parochial medical assistance, he has simply to refuse further attendance until an order be procured, and the case will terminate; the sick person in the meantime having the benefit of his advice, which every man willingly accords. Should the case be of the class entitled to his aid, he will be remunerated, instead of being told by the Guardians, as is now too frequently the case, "You had no order, and therefore we will not pay you."

By this clause a person, if taken in labour, during an illness, will be entitled to the assistance of her medical attendant, without an express order for that purpose, as the perils of child-birth superadded to illness, make the case the more dangerous.

The Poor Law Commissioners stated in their official circulars "That if a Medical Officer was sent for to attend a poor person, and he accepted the case, and treated the person in any way as his patient, and as being under his care, the Commissioners would not allow the circumstance that there was no written order from the Relieving Officer, Overseer, or other authority to be a justification of neglect of the case by the Medical Officer," &c., &c. *April 8, 1842.*

"A Medical Officer is only legally required to attend on paupers, whether for midwifery cases or for cases of illness, when called upon to do so by a written or printed order, given by some person competent to grant relief; and if a Medical Officer's services are not given in accordance to such a requisition, he has no legal right to a fee or other special remuneration from the Guardians, excepting always when attendance has been given on a woman in child-birth, under circumstances of difficulty or danger, who was actually receiving relief, or whom the Guardians may subsequently decide to have been at the time in a destitute condition."—*Off. Cir. P. L. Board, November, 1849.*

#### APPOINTMENT OF MEDICAL OFFICERS.

SECTION 5 Relates to the appointment of Medical Officers, and makes it compulsory on them to perform the duties required by this Act, and by the rules of the Poor Law Board; it also makes it compulsory on Guardians to elect a doubly-qualified man, in preference to one with a single qualification; it also compels the Poor Law Board to annul appointments, not made in conformity with this Act.

The first part of this section is nearly a verbatim copy of Art. 153, the clause being confined to Medical Officers, instead of as in the original article applying to all officers. That part commencing "The Officers so appointed," &c., and terminating "by the Guardians," is also almost a verbatim copy, of Art. 154, with its proviso, as far as Medical Officers are concerned. The part commencing "Every Medical Officer" and terminating "if no more be present," is in Art. 155, the words "*and that where there are two or more candidates for the office, the Guardians shall choose one of those who is doubly qualified in accordance with Sec. 7 of this Act, in preference to one who is only singly qualified,*" is intended as an improvement upon the Order of the Poor Law Board, and makes it compulsory on the Guardians to take the fully qualified man in preference to the one who does not possess a Medical as well as Surgical Diploma or License; as it is a well known fact that from local political influence, or other causes, a man with a single qualification is now often elected, instead of one possessing the double qualification. "Every such appointment," terminating with "Poor Law Board," is also in Art. 155, the remaining words being added, in order to make it compulsory on the Poor Law Board to refuse confirmation of the appointment, if improperly made.



SECTION 6 Compels the Guardians to advertise all Medical vacancies in a Newspaper of the County in which the Union is situate ; it declares that the assistant of a Medical man shall not be appointed. That all Medical Officers, not registered, shall forfeit office. That tenders for Medical advice shall not be invited, but the estimated amount of salary in accordance with this Act, shall be named.

This section is an amendment of Art. 156, which latter declares "that no appointment shall be made *unless a notice, that the question of making such appointment will be brought before the Board, has been given and entered on the minutes at one of the two ordinary meetings of the Board next preceding the meeting at which the appointment is made, or unless an advertisement giving notice of the consideration of such appointment shall have appeared in some public paper, by direction of the Guardians, at least seven days before the day on which such appointment is made, provided that no advertisement shall be necessary for the appointment of an assistant or temporary substitute.*"

The proposed clause omits all that part of Art. 156, which is quoted above, and is in italics, and prevents the appointment being made without advertising the vacancy, and thus throws it open to the public, instead of allowing the Guardians to fill it up in private, and then declare they had no choice, as only one man (who was let into the secret)\* had offered. The advertisement in the local newspapers enables all medical men living in the neighbourhood to become aware of vacancies, and ensures to the Guardians a fair choice of candidates.

The provision against the election of an assistant to another Medical man, as a Medical Officer, is intended to prevent the Guardians making a colourable appointment; besides, an Assistant has not that interest in obtaining the good will of the poor that a Principal has, and therefore might neglect them.

The latter part of the section is almost a verbatim copy of Art. 157, the only additions being such as to make it harmonise with the sections in this Act.

\*"The Poor Law Board in their letter to Mr. Anstey, of 24th May, state, that no Medical Practitioner lives nearer to the Otterton District than Mr. Cullenan; whereas the fact is, eight fully qualified individuals reside nearer, and if the appointment had been, according to the custom in the Union, by advertisement, no doubt some of these would have applied for the appointment."—*T. H. Pullin's pamphlet, 1859—St. Thomas Union.*

SECTION 7 Makes it compulsory on the Poor Law Board to accept the services of all registered Medical men, provided they hold both a Medical and Surgical Qualification. The exceptions to the rule are, Medical Officers holding commissions in the Army and Navy, dated prior to the passing of this Act; or Surgeons, or Assistant-Surgeons of the East India Company, whose commissions bear date prior to August, 1826, who may be elected although they have no other qualifications than their commissions, and the Apothecary in practice prior to 1815. Officers elected with but one qualification shall remain in office for one year only, when the vacancy must again be advertised.

This section is one of considerable importance, as it clearly defines the class of medical men who shall be eligible for Poor Law Medical appointments. The Poor Law Board have at various times made orders on this subject, and have invariably laid it down as a rule, that every Medical Officer shall possess a Medical and Surgical Qualification; this will be seen by referring to Art. 168, and again on looking to their order of Decr. 10th, 1859. The only difference in this section is that all the degrees recognized by the Medical Act are here narrated, whereas in the order of the Poor Law Board they are only partially mentioned, the Board reserving to itself the right to consider the claims of others not named in the order, even though they possess the qualifications which have entitled them to register, who may be elected by the Guardians. The qualification of Medical Officers holding commissions in the Army and Navy is limited to

those dated prior to the passing of this Act, but the Poor Law Board in their last order, have passed over the Army Medical Officers entirely, though they still recognize the Navy; this probably was an oversight. Officers holding commissions in the East India Company prior to 1826, and the Apothecary practising before 1815, were acknowledged by the Poor Law Board in Art. 168; but in their order of Decr. 1859, they have recognized the latter as possessing a Medical Degree only. In the proposed Act, the Indian officer of 1826, and the Apothecary of 1815 are still recognized, but the Board will rarely have applications by gentlemen possessing these qualifications only.

The Proviso attached to this section is in substance a transcript of Art. 169, but residence in a district is omitted, as that is otherwise provided in the next section of this Act; the words "duly qualified" are here rendered "doubly qualified."

The latter part of the proviso commencing "But nothing" is to take the place of Art. 170, which allows the Guardians, with the consent of the Poor Law Board, to continue in office a man with one qualification, but this clause fixes the time for one year only for Medical Officers *hereafter* to be appointed, and compels the Guardians at the expiration of it to advertise the office as vacant. The orders of February 15, 1855, and May 25, 1857, have reference to the appointment of singly qualified men, and have not fixed a time for their continuance in office, but have left it "for such time only as the Poor Law Board shall approve or direct."

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SECTION 8 Makes the appointments of all the present Medical Officers permanent, provided they reside within two miles of their district.

The Poor Law Board in Art. 187 enacts that "every officer to, or holding office under this order, *other than a Medical Officer*, shall continue to hold the same until he die or resign, or be removed by the Commissioners, or be proved to be insane to the satisfaction of the Commissioners." Art. 191 says, "every Medical Officer duly appointed shall, *unless the period for which he is appointed be entered on the minutes of the Guardians at the time of making such appointment, or be acknowledged in writing by such Medical Officer*, continue in office until he may die, or resign, or become legally disqualified to hold such office, or be removed therefrom by the Commissioners."

The order of Feb. 15, 1855, limits the permanency of office to the Workhouse Medical Officer, the doubly qualified man, and the officer resident in his District.

The order of May, 25, 1857, in substance confirms the former order, still making residence in the district, as well as holding a double qualification, imperative for permanence of appointment.

The Guardians in many Unions take advantage of that part of Art. 191 commencing "unless," and thus, notwithstanding the general tenor of the Article, and the orders of the Poor Law Board, limit the period of the appointment of their Medical Officers to one year, which accounts for the annual election of of 709 Medical men. [No. 38.]

Of the present Medical Officers 632 have only one qualification, and others hold qualifications which at the time of their election were not recognized by the Poor Law Board; these are all liable to be displaced; to make them permanent would be an act of grace, and could not be construed into a precedent for those *hereafter* to be elected, as the seventh clause effectually provides for the future.

The question of residence in the district is one of importance. On referring to Lord Elcho's Return we find there are 1,015 Medical men not resident in their districts, [No. 37]; of these 175 live less than one mile from

their nearest patient; 338 above 1 mile, and less than 2 miles; 268 above 2 miles and less than 3 miles; 129 above 3 miles and less than 4 miles; 73 above 4 miles and less than 5 miles; 37 above 5 miles and less than 6 miles; 24 above 6 miles, and less than 7 miles; and 1 above 7 miles. Some of the 175 live but a short distance out of their district—a road or a bridge frequently forming the boundary line; a man on one side being a permanent officer, whilst the one on the opposite side is liable to be annually displaced. The writer of this paragraph is not resident in his district, and yet his farthest patient is not a mile off; a colleague is resident in his district, and yet he has patients nine miles off. The first may be turned out at the end of the year through mere caprice of the Guardians; yet his colleague, as far as residence is concerned, is an officer for life, simply because he lives in a part of his district.

That the intention of the Poor Law Board was good, no one can deny, and it is most desirable that a limit should be placed to non-residence in districts; it is therefore proposed to fix two miles from the residence of the Medical Officer to the nearest patient, beyond which no Medical man shall claim to be a permanent officer. A limit to this extent can scarcely be said to be too much, when it is well known that many Medical Officers to Union Houses live much farther off, and yet are all made permanent officers by the order of May, 1857. Sec. 9 enables the Guardians to limit the size of a district by taking away distant parishes.

The Select Committee of the House of Commons, in their third resolution, recommended "that every Medical Officer to be appointed after the 25th March, 1855, should continue in office until he may die, resign, or become legally disqualified to hold such office, or be removed therefrom by the Poor Law Board." The proposed clause simply extends this resolution by including in it all officers appointed prior to the present time, if they reside within two miles of their district, the result of this will be that 632 men with one qualification, and 513 who reside within two miles of their districts will be made permanent officers. This clause will also make 709 Medical men permanent officers who are now annually elected, in consequence of the Guardians fixing the period of their retention of office. [No. 38.] The latter part of this clause slightly differs from Art. 193, which declares "that if any officer be prevented by sickness, &c., from the performance of his duties, the Guardians may appoint a fit person to act as a temporary substitute, and pay him a reasonable compensation for his services," but in this clause it is proposed that the Medical Officer shall appoint a substitute, subject to the approval of the Guardians, failing which, the Guardians shall appoint a substitute, and pay him the proportion of the salary that would have been payable to the officer whose duty he performs.

No. 1594. "All elections should be permanent, as the profession is exceedingly over-stocked, and very young men try to struggle into a district to get the work out of the hands of the older and more established and better medical men; taking the Union work at a dead loss. I think that any order for Medical Officers to be permanent would put a stop to that bad system of over-competition by those young men, which is the case now."—*Rev. C. Kingsley.*

No. 2002. "Competition as regards medical relief of the poor is decidedly bad."—*Rev. E. J. Howman.*

No. 2637. "An annual election would drive respectable men away from taking any part in it, that they would not be at the trouble of annual election, and would not have a rod held over them *in terrorem* by Boards of Guardians."—*G. Wallis, Esq., M.D.*

SECTION 9 Enables the Guardians, with the consent of the Poor Law Board, to reduce or enlarge the size of a district, and also to appoint additional Medical Officers to act therein.

This section enables the Guardians, with the consent of the Poor Law Board, to make any change in the size of a district that may be desirable, and also to appoint additional Medical Officers to it. Art. 158 gives somewhat



similar powers, and Art. 5 of the order of May, 1857, gives them like powers, with this addition, that if "the Medical Officer shall decline to acquiesce therein, the Guardians may, with the consent of the Poor Law Board, but not otherwise, and after six month's notice in writing, signed by the Clerk, given to the Medical Officer, determine his office." The proposed clause embraces the two Articles, and gives ample powers for all and every change that may be deemed advisable.

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SECTION 10 Provides for the filling up of a vacancy, unless the district be divided amongst the other officers.

This section includes Arts. 195, 196, and Art. 7 of the order of May, 1857, and is quite in accordance with their meaning.

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SECTION 11 limits the permanency of appointment of a future Medical Officer to those parts of a district not more than six miles from his residence, beyond which, the office shall be annual; it also limits the attendance on the sick poor to 1500 annually.

This section defines the size of a district as far as distance is concerned, and the greatest number of patients to be entrusted to the care of a Medical Officer in any one year. Hitherto acreage and population have been the guide, excepting in Wales, where mileage has been taken. This will be seen by the following quotation :—

Art. 159. The Guardians shall not assign to any Medical Officer a district which exceeds in extent the area of fifteen thousand statute acres, or which contains a population exceeding the number of fifteen thousand persons, according to the then last enumeration of the population published by authority of Parliament.

Art. 160. Provided that if it be impracticable, consistently with the proper attendance on the sick poor, for the Guardians to divide the Union into districts containing respectively an area and population less than is specified in Art. 159, then and in such case the Guardians shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion, make it necessary to form a district exceeding the said limits, and shall transmit a copy of such minute to the Commissioners for their consideration, and if the Commissioners signify their approval thereof to such Guardians, then and in such case, but not otherwise, such Guardians may proceed to assign the said district to a Medical Officer.

Art. 161. Provided also, that the limit of fifteen thousand statute acres, prescribed in Art. 159, shall not apply to any medical district situate wholly or in part within the principality of Wales; but no medical district situate wholly or in part within that principality shall be assigned to any Medical Officer residing more than seven miles from any part of any parish included within such district, unless such district shall have been specially sanctioned by the Commissioners in the same manner as is directed in Art. 160.

The intention of the Poor Law Commissioners evidently was, that the poor should not have to travel great distances for Medical assistance, neither should a Medical Officer have so many patients entrusted to his care that it would be impossible for him properly to attend to them; but unfortunately Art. 160, which was intended for special circumstances only, has now become a bad precedent, and enables the Guardians, by merely "causing a special minute to be made on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to form a district exceeding the said limits," to do so, to an almost unlimited extent, as will be seen by referring to Lord Elcho's return, where we find there are very many Medical men who have districts above 15,000 statute acres, the greatest extent allowed by the Poor Law Board; and that there are sixty-six who have from 17,000 to 20,000 acres; one hundred and forty from 20,000 to 30,000 acres; twenty-seven from 30,000 to 40,000 acres; twelve from 40,000 to 50,000 acres; seven from 50,000 to 60,000 acres; four from 60,000 to 70,000

acres; one from 80,000 to 90,000 acres; seven from 50,000 to 60,000; two from 90,000 to 100,000 acres. The above are all situated in English Counties; those in Wales not having been calculated, though there are many there of enormous size.

By referring to Lord Elcho's return, we find that 366 Medical men have patients living above 6 miles from their residences; 249 above 7 miles; 129 above 8 miles; 58 above 9 miles; 34 above 10 miles; 10 above 12 miles; 9 above 13 miles; and 10 between 14 and 20 miles.

From the above quotations it will be seen that parts of many of the districts are situated at great distances from the residences of the Medical Officers, the result of which is that many a poor man after his day's labour is over, has to walk from 6 to 20 miles for a bottle of medicine, and as many home again. Medical relief to the poor under such circumstances is a mere mockery. One district is 99,922 acres, or 156 square miles; and the Medical Officer has patients 13 miles from his residence; his salary is £10 per annum. It is monstrous for the Guardians to make such districts; it is still more monstrous for the Poor Law Commissioners, or Poor Law Board to have sanctioned them; it is false economy towards the ratepayers; it is better to pay a little more to the Medical men living near, and make it worth while for them to take a part of these districts, than allow the poor to linger on in sickness when prompt Medical aid would speedily cure them. If a fair payment be offered, there will rarely be a difficulty in obtaining the services of Medical men living in close proximity to the poor. By the section in the proposed Bill no officer hereafter to be elected, will be permitted to hold any portion of his district as a permanent appointment, which extends beyond six miles from his residence; neither will he be permitted to continue to hold a district which affords him more than 1,500 patients in the year. [No. 15.] The propriety of this proposition will be obvious from the foregoing statements.

The Proviso at the end of the section is a literal copy of the orders of the Poor Law Board of Feb., 1855, Art. 3, and of May, 1857, Art. 6.

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SECTION 12.—Declares that Public Vaccinators shall have the same qualifications as Union Medical Officers.

The object of this clause is to make the qualifications of Public Vaccinators the same as other Poor Law Medical Officers, and is inserted in consequence of a doubt existing on the subject, as will be seen by the annexed quotation; a recent order of the Privy Council, which requires Public Vaccinators, in future, to have special certificates of their fitness for office, is generally considered unjust, and tends to raise a speciality in the profession, which is uncalled for.

"The 3 and 4 Vic. cap. 29, require that the Guardians should contract with a Medical Officer of the Union, or a legally qualified Medical Practitioner. The Poor Law Commissioners have prescribed the qualifications for the Medical Officer of the Union; but have not professed to define the precise meaning of the terms "legally qualified Medical Practitioner." They certainly do not consider that the person to be appointed as a Vaccinator need be qualified in the same manner as the Medical Officer of the Union. If vaccination be a surgical operation, any Practitioner who is legally qualified to practise surgery, may be contracted with by the Guardians, under the statute. If it be a medical operation, falling within the office of an Apothecary, the party must be qualified to practise as an Apothecary, in his general practice. This is the view taken by the Poor Law Board on this subject." *Off. circular, P. L. Board, Feb. 22, 1848.*

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SECTIONS 13, 14, 15, Define the duties of a Medical Officer.

These sections are almost verbatim copies of Arts. 199, 205, 206, 108, and 207; the addition of the words, "*of the Consolidated Order of the Poor Law Board,*" being added to render the articles referred to, intelligible. The granting of a certificate to the pauper of his illness has

been omitted, as it is often used solely for begging purposes. In Art. 206, No. 1, the word "parish" does not occur and has been added to that of "district," as the latter is generally understood to mean several parishes. No. 2 of Art. 206, has been omitted as unnecessary, if a per case payment be adopted, as then the permanent poor, when sick, will be paid for in the same manner as others. In Sec. 15, No. 1, the attendance at the Workhouse, "*at periods fixed by the Guardians,*" as directed by Art. 207, No. 1, has been omitted, and instead thereof the following words have been substituted, "and as often as the sick poor may require his attendance" as being more in accordance with what is really necessary for the sick than any fixed period.

SECTION 16 Provides for the payment of Medical Officers of Districts, on acreage, at 1d. per acre, and on cases of illness, at 3s. 6d. each, when the Medical Officer finds the medicines, and 2s. 6d. each, when the Guardians find the medicines; but in the case of the Medical Officer of a Workhouse, Infirmary, Lunatic Asylum, or School-house, he shall receive 1s. in addition, for each attendance at the Workhouse, &c., if the institution be situate less than one mile from his residence, and 2s. 6d. if more than one, and less than two miles, and 5s. if at any further distance.

This section will probably claim more attention than any other in the proposed Act, as it relates to the payment of the Medical Officers.

In the first place it will be well to narrate the mode now adopted by the Poor Law Board, and Boards of Guardians on this subject. Art. 172, "The Guardians shall pay to the several officers and assistants appointed to, or holding any office or employment under this order, such salaries or remuneration as the Commissioners may from time to time direct or approve." This article proves that the Commissioners have laid down no principle to guide the Guardians in fixing the salaries of the Medical Officers. This is further shown by the evidence of Mr. Cane, of the Poor Law Board, and Dr. Walsh.

No. 12. "The Boards of Guardians, in the first instance, fix that salary, subject to the approbation of the Poor Law Board, and when that salary is approved of by the Poor Law Board, is it in the power of the Board of Guardians to alter that without leave? The law has confided in the Poor Law Board the absolute power of fixing the amount of salary irrespectively of the Board of Guardians, and if they please, they can exercise that authority without reference to the Guardians; but the general mode is to consult the Guardians, to inquire what they deem to be a proper salary, and having considered their answer, and their views, then to determine what shall be the salary assigned to the office."—*R. B. Cane, Esq.*

No. 2688. "At the present moment there is no principle operating upon which they are to calculate the amount of payment, it is a mere arbitrary arrangement between the parties."—*G. Wallis, Esq., M.D.*

Dr. Wallis may well say there is no principle. In this statement all must agree, when it is known that one Medical Officer in the Rothbury Union has a district of 14,493 acres, with a population of 430 persons, and that his salary is only £2 per annum; on the other hand we have in the Marylebone Union, an officer with a salary of £950 per annum, and between the two extremes we find there are 1581 Medical men with salaries under £50 per annum; 1092 between £50 and £100; 516 between £100 and £200; 33 between £200 and £300, and six above £300. Again, the same striking disproportion exists, if we contrast the salaries with the number of cases attended; there are 79 Medical men who receive less than 1s. for each case of illness they attend; 290 between 1s. and 2s.; 437 between 2s. and 3s.; 504 between 3s. and 4s.; 462 between 4s. and 5s.; 408 between 5s. and 6s.; 282 between 6s. and 7s.; 210 between 7s. and 8s.; 157 between 8s. and 9s.; 124 between 9s. and 10s.; 92 between 10s. and 11s.; 71 between 11s. and 12s.; and 260 with 12s. and upwards; the salaries varying from 2d.



per case, to 67s. [No. 23.] Dr. Wallis might well say it is a mere arbitrary arrangement, and that there is no principle in it; an ample reason why we desire that some fixed plan may be laid down, from which there shall be no departure.

In a former Pamphlet, dated 1858, which the writer of this Commentary had the honor of submitting to the notice of the Members of Parliament, was a draft Bill on the subject of medical relief. In that 5s. was asked as a remuneration for each case of illness, with extra fees for surgical cases, and mileage, to cover the horse expenses of the Country Medical Officer. In Nov., 1858, The Right-Hon. T. Sotherton Esteourt, the President of the Poor Law Board, issued his "Scheme for a suggested new arrangement of Medical Relief." His plan was:—

1. "That the Medical Officers should receive not less than One Shilling and Sixpence per head upon the average number of persons in the Parish in receipt of relief in the First week of January, and the First week of July in each year."
2. "Not less than One Shilling and Sixpence per case, upon the number of cases attended in the Parish upon an average of the last three years."
3. "An additional sum per case to be fixed by the Guardians, with the sanction of the Poor Law Board, as a remuneration in respect of the distance which the Medical Officer may have to travel in attending the sick poor, or in respect of other local circumstances."

"A Table of Fees for Midwifery and Surgical Operations, and a list of more expensive drugs and appliances, shall be drawn up by the Poor Law Board, with the advice of the Medical Council appointed under the New Medical Act. Every Medical Officer appointed to attend any Workhouse, Town, or Country Parish, shall, in addition to his salary or other remuneration, be entitled to his fee according to such table, after attending a case included in it; and any such Medical Officer shall be at liberty to direct any drug or surgical appliance included in such list to be made up and supplied by some Chemist approved by the Guardians, or at their own Dispensary, if they shall establish one."

The first element at 1s. 6d. for each person in receipt of relief in the first week in January, and the first week in July would produce for the District Medical Officers, £59,345, and for those of the Union Houses, £8,793, or a total of £68,138; if this sum be divided by 1,346,947, the number of cases attended in the year ended March, 1857, it will give exactly one shilling for each case of illness. As this element offered a fair test of pauperism, it would have been gladly adopted, but its working was found to act so unequally that it could not be carried out; for instance, in the Metropolis it would have afforded for each case of illness, 4½d.; in the South Eastern Division, 9d.; South Midland, 11¼d.; Eastern, 9½d.; South Western, 1s.; West Midland, 11¾d.; North Midland, 2s. 6d.; North Western, 1s. 7¾d.; York, 1s. 9¼d.; Northern, 2s. 2d.; Welsh, 2s. 2d.; and in the Workhouses, a like disproportion existed, the average in the Districts being 1s. 1d. per case, whereas in the Workhouses it gave only 8¼d., though on the whole it averaged one shilling per case. Under these circumstances it was felt necessary to omit this mode of payment, and add the 1s. to the second element in Mr. Esteourt's plan, which he fixed at 1s. 6d. per case, and thus make it 2s. 6d., which it is proposed should be the payment where the Guardians find the medicines, as is now the case in some Unions, and will probably, before long, be so in very many, if this mode of payment be adopted. It is however necessary to make provision where the Medical Officer finds the medicines; it is therefore proposed to give 1s. extra in these cases. If these sums be multiplied by 1,346,947 [Nos. 1, 16,] the number of patients under the care of the Medical Officers in the year ended March, 1857, it will give at 2s. 6d. each, £168,368, [Nos. 35, 19,] and at 3s. 6d. each, £235,715, [Nos. 34, 18,]; the present payments being £177,269 for salaries, [No. 2, 21,] and £8,387 for drugs found by certain Unions, or a total of £185,656. which if deducted from the sum, where the 3s. 6d. is proposed to be paid, will only give an increased payment of £50,059 under this head.

The third element proposed by Mr. Esteourt was left indefinite, in consequence probably of the Right Hon. Gentleman hardly knowing how to fill it up at the time. We have considered it would be the best met by acreage, and have named

one penny as the sum to be paid for each acre, which will produce £146,210, [No. 30.] or an average payment of 2s. 2d. per case of illness, but of this, the Medical Officers in Town Districts will receive next to nothing, and it will be paid in varying sums according to the size of the district, and number of patients. [No. 36.] By these payments the sum per case will average 5s. 8d. throughout the kingdom, instead of 3s. 1d. which is now received. [Nos. 9, 10, 11, 12.] The former sum is in truth actually less than that proposed by the Poor Law Commissioners, who say, in their minute of June 6th, 1839:—

“With regard to the amount of the remuneration, the Commissioners are disposed to give much weight to the concurrent testimony of the witnesses examined before the Committee of the House of Commons of last Session, in reference to medical relief; and they deduce from that testimony that the fixed remuneration to be paid in rural districts for the permanent list, should be such as to afford to the Practitioner a payment of 6s. or 6s. 6d. *per case*, on the average number of *bona fide* cases, subject to be augmented if the district is extensive. The remuneration per case for those not on the pauper list may reasonably be on a somewhat higher scale, but the Board are inclined to think that it will not be found necessary to exceed 10s. per case. In the arrangements which have been indicated it is presumed that the midwifery cases and surgical operations of a serious character will be paid for by a separate fixed charge for each case. The Commissioners entertain no doubt that if the principle of the payment per case be thus adopted, it may be easily modified to suit the special circumstances of the Union, and the further experience of its operation will enable them to ascertain accurately whether the rates above alluded to, which at first will be of a somewhat experimental character, furnish an adequate and not unreasonable remuneration for the services performed.”

The Poor Law Medical Officers, in proposing this mode of payment have done so because it is simple, and admits of no doubt, and is just to all parties. The first element named is so low that it can scarcely be an inducement for the Guardians to refuse orders to the poor, whilst on the other hand the Medical Officers will not then complain, as they now do, with their fixed salaries, of the number of orders granted by the Relieving Officer; it will then literally be, little work little pay, or the reverse. The second element, acreage, is one that requires more consideration, as by it the Guardians will, in some thinly inhabited places, pay considerably more than they now do. [Nos. 2, 3, 4, 5, 6, 7, 8.] This certainly might be met by saying that for the first ten thousand acres the payment shall be 1d. per acre, and for the second ten thousand ½d. per acre, after which ¼d. per acre only should be paid. But the danger of this plan would be that the Guardians might, in order to lessen their expenditure, increase the size of the district, and thus cause considerable suffering to the poor, otherwise that arrangement would meet the case of wild mountainous districts with few inhabitants. But it must be borne in mind even in these cases the Medical Officer will have the same expense in keeping horses as if he had many patients to attend, and that with few patients in his district, he will have but little else to remunerate him but the sum received for acreage, for his long journeys (out and home) of 20, 30, and 40 miles to perhaps a single patient. The insertion of the following words after Sec. 16, No. 2, would however meet the few cases that now exist, of very large districts with very few patients. “Provided, nevertheless, that should the united payments, by acreage and case, average, in any one year, more than £5 per case of sickness, then the payment by salary shall not exceed that amount for the succeeding year.”

The advantage of fixing the salary at 3s. 6d. where the Medical Officer finds the medicines, and 2s. 6d. where the Poor Law Board or Guardians find them, is that they will then consider whether it is more advantageous to establish dispensaries or not; moreover, in those Unions where they are already established, the payments to the Medical Officers will be defined. Much might be said on the benefits that would be derived by the general establishment of Dispensaries, but as a pecuniary consideration will, in future, be involved in the question, the Guardian will

soon be alive to their own interest, or should the subject rest with Government, as is proposed in the 23rd and 33rd section, the Poor Law Board will speedily ascertain which mode of payment will be most beneficial to the public.

The working of the entire system will be seen by examining the tables, which exhibit some curious results. Instance the Medical Officers of the Metropolis, who have actually been working on an average payment of 1s. 2½d. per case, [No. 9,] and if one shilling only be deducted for the cost of drugs, it will be apparent that the balance left is merely nominal—2½d. per case, which is called a remuneration for Professional skill, with labour equal to that of a slave. [No. 42.] One gentleman in London N.E., writes March 20th, 1860—"I am sometimes engaged in *parish work* (principally) from 6 a.m. until 12:30 p.m. without mixing with my family, and in my surgery all the time I am not visiting, taking my meals at the counter, like a bricklayer's labourer,—not being able to afford to keep an assistant." The District Medical Officers of the Metropolis have now £12,120 per annum, [No. 2,] including the cost of drugs found by the Guardians, which is £2895; at 2s. 6d. per case their salaries will rise to £25,011, [No. 35,] or about double their present incomes, and if they find all the medicines, which of course they will not, then the sum would be £35,015, [No. 34,] which appears an enormous increase, and in round numbers it certainly looks so, but it is not more than they ought to have. Is 2s. 6d. without medicines, or 3s. 6d. with, too high a payment for attending an illness, the average duration of which is 22 days? [No. 28.] Can any honorable gentleman rise in the House, and conscientiously say that it is? In the divisions there exists another strange anomaly, and were it only in one, it would be thought to be an error, but it is apparent in all that the salaries are so shamefully disproportionate, that one man receives only 2d. per case, whilst another has 67s., [No. 23,] and this it is that accounts for many of the Poor Law Medical Officers keeping aloof; nay, some even oppose this Bill, fearing that a regular system of payment might reduce their salaries. There is a like variation in the Extra Medical Fees, one Medical Man receiving as much as £156 per annum, whilst another in the same division has only a few shillings. [No. 27.]

#### WORKHOUSES.

The payments to the Medical Officers of Workhouses are arranged on the same principle as that of the District Medical Officers, a fixed payment of 1s. being substituted for acreage, for each attendance at the Workhouse when it is less than one mile from the residence of the Medical Officer, and 2s. 6d. if more than one mile, and 5s. if at a further distance than two miles. These varying amounts are named as the best way of putting the payments on an equitable footing. A fixed salary of 3s. 6d. only for each case of illness would be insufficient, as will be seen by referring to No. 22, in the column of Tables, as now the payments to the West Midland Division average 3s. 9½d. per case, and the Welsh 3s. 7½d.; therefore to give but 3s. 6d. would be to reduce the incomes of the Medical Officers in these localities.

With the Medical Officers of the Institutions in the Metropolis there is a similar increase in the salaries to that in the Districts, the payments to the former suddenly rising from £6387, [No. 21,] where the Guardians find some of the medicines, to £15687, [No. 18,] where the Medical Officers find them all, or from £4483 [No. 20] the Guardians finding all the medicines, to £11209 for Professional advice only, [No. 19,] at 2s. 6d. per case; but to give these Medical Officers less than the other divisions would be unjust; the fact is they have, as a body, been too long underpaid, and now to render them a simple act of justice, appears to be granting them a great favour—I say, as a body, for I believe there are some in the Metropolis well off, and, desire no change, as an equalization of the salaries might lessen their incomes.



No. 160. "The Poor Law Board recommend a fixed annual salary should be allowed for the infirm placed upon the permanent Pauper list, and eases not on that list to be paid for by a per-ease payment."—*R. B. Cane, Esq.*

No. 167. "The Poor Law Board did not recommend a per-ease payment should be adopted without reference to any other payment; it was to be combined with a salary for attending such poor persons as are permanently sick and disabled, and that a higher rate ought to be allowed for other eases which would require closer attention, medicine, and visits, than those merely suffering from age and bodily infirmity, in a chronic state."—*R. B. Cane, Esq.*

No. 166. *Mr. Cane*, of the Poor Law Board, says—"My impression is that, taking the whole kingdom together, the payment per easo to a Medical Officer does not average more than 3s."

No. 986. "Cost of each out-patient in the South Staffordshire General Hospital, 2s. 11 $\frac{3}{4}$ d."—*R. Kettle, Esq.*

No. 169. "I think there is a statement that the average expense of drugs alone in the principal Hospitals in London, exceeds 2s. 6d. per case."—*R. B. Cane, Esq.*

No. 3269. "Whereas the average cost of drugs alone, for a single ease, required in the practice of Surgeons at Dispensaries, where they relieve the same class of persons as the Medical Officers of Unions, amounts to 2s. 1 $\frac{1}{2}$ d., and in Hospitals, to 4s. 4 $\frac{1}{2}$ d."—*C. J. F. Lord, Esq.*

No. 3082. "I think if the whole of the salaries were revised and better apportioned to the work which is expected for them, it would tend in a great measure to palliate a great many of the evils which now exist."—*H. W. Livett, Esq.*

No. 2689. "There are a great many districts which are so wide that they would require special arrangement, but that could be easily adopted, because, I believe, the expense would not be more than was reasonable and proper."—*G. Wallis, Esq., M.D.*

No. 1657. "A man is now paid not for what he does, but for what he is expected to do. Supposing the Medical Officer is not a conscientious man, the poor are insufficiently attended; but suppose medical men were paid per ease, their object would be to show the greatest attention possible to the poor."—*Dr. J. Griffin.*

No. 2058, "I am sure, the present rate of payment of Medical Officers, without coming upon their own resources, is quite inadequate."—*R. W. Rumsey, Esq.*

Nos. 2059 & 2060. "The consequence is, when expensive drugs are required, that either the Medical Officer must provide them at his own expense, or if he does not do that they could not be provided at all, or he will, perhaps, send them to the Medical Charities, the Infirmary, or the Dispensary, or he will induce them to enter a medical club; in fact, he will endeavour to shift the burden from his own shoulders, which I conceive to be very detrimental indeed to the poor, to be handed about from one source to another, when their diseases require prompt and immediate treatment."—*R. W. Rumsey, Esq.*

No. 2242. "In some types of disease, I feel quite sure when Quinine is necessary to be prescribed in large quantities, it could not be furnished without serious loss to the Medical Officer at the sums of money now paid to him."—*J. Leigh, Esq.*

No. 1734. "If you can make the duty and the interest of the medical men combine, you will get a more efficient attendance on the poor than you now do."—*Dr. J. Griffin.*

No. 1874. "I think the present system works badly for all parties; the Guardians are discontented, the Medical Officers are discontented, and the poor are discontented, because it opens the door to a multiplicity of evils, which, while it exists, I do not believe can be corrected; the system of payment by salary tempts the Board to get as much out of their Medical Officers as they can for a smaller payment; it tempts the Medical Officers to do as little as they can for their payment, and it tempts the poor to throw as much as they possibly can upon the Medical Officers, from the feeling that the parish pays for them."—*Rev. E. J. Howman.*

No. 1992. "I do not believe that £300 a year, which might be a remuneration in 1837, when the population was only 16,000, can be remunerative in

1854, when the population is 21,000. I think it works ill for all parties; I think it works unfairly against the medical man, and I think it works badly as regards the wants of the poor."—*Rev. E. J. Howman.*

No. 1994. "We have now recently got two Medical Officers, young men, who of course cannot afford, as the old practitioners do, to find themselves not in pocket, if they are not out of pocket by their practice."—*Rev. E. J. Howman.*

No. 2000. "I hear the Medical Officers all grumbling about being very much under-paid."—*Rev. E. J. Howman.*

No. 2960. "I think it is the opinion of the majority of the Guardians that the Medical Officers are under-paid."—*W. Taylor, Esq.*

No. 2962. "If the Poor Law Board gave an order for an increase of the salaries, I do not think it would be objected to."—*W. Taylor, Esq.*

No. 499. "Improvements have been made in Medical Relief since 1848; time has done a great deal towards improving, and it is a continually improving system."—*R. Weale, Esq.*

SECTION 17 Provides that a Table of Fees shall be drawn up by the Poor Law Board, with the advice of the Privy Council; that the Guardians shall not compound for the fees; that if a patient requiring an operation be sent to a Hospital, the Guardians shall pay the Treasurer of the Hospital a similar fee to that they would pay the Medical Officer for its performance. It also provides for a division of a fee in case the patient shall have been attended consecutively by two Medical Officers, or be treated by one Medical Officer, and then go to a Hospital.

The commencement of this section was a part of the "Scheme," of Mr. Estcourt, and is one that will no doubt prove satisfactory to the Guardians, as well as the Poor Law Medical Officers. At present the fees to the Medical Officers are confined to those having districts, excepting cases of midwifery, for which fees are allowed to the Officers of Workhouses. In the centre of the first paragraph is introduced the words, "and on no account shall the Guardians be allowed to compound for the same." The cause of the introduction of these words arises from the circumstance that in many Unions the Guardians have commuted the extras, in order to save their payment by the respective parishes, for by uniting them with the salaries, it causes Parliament to pay half of them, and the common fund the other half. That the step is not only unjust, but unwise, will be apparent, by assuming a case. A district is occupied by a Medical Officer, who never performed a capital operation in his life, and has only had a few midwifery cases. The Guardians agree with him to commute the extras; after a few years he quits the service, and is succeeded by an officer who can and does operate, and he performs many capital operations, for which he gets no pay, as the commutation was not upon these cases, midwifery only having, in reality, been calculated; he demurs at this treatment, but can get no redress, he being told that the extras have been commuted. What is the result of this? Why, a disinclination to operate is engendered, and a palliative mode of treatment adopted, which takes up a length of time, until at last, the Clergyman of the Parish, or some other kind friend, steps in and sends the case to the hospital. This clearly proves it is unjust as well as unwise to commute the extras. [For an amount of fees now paid, see Tables Nos. 24, 25, 26, 27.] The latter part of the clause is important, as it provides that the fee for an operation shall be paid to the treasurer of an hospital, if the patient be sent there. At present it is no unusual circumstance for a poor person to be driven in a cart over a rough road many miles, in order to save the parish the fee for the treatment of a fracture, thus causing much suffering and danger of life to the patient, but if the fee must be paid, then it will no longer be a question of self-interest, but merely that of the welfare of the patient.\* There is another question connected with this, which is, that as the case stands at present, the charitable funds of the hospital are taxed to provide for an expense which, in reality, ought to come out of the poor rate; it is true the Poor Law Board permit the payment of annual

subscriptions to hospitals by the Guardians, but it is well known that these subscriptions do not cover the expense incurred for the chronic cases that are too frequently sent there, in order to save the rates the expense of the wine and meat ordered by the Medical Officer; therefore the pay for accidents and operations will be a slight compensation.

The second paragraph is similar to the note at the end of Art. 177, but there is now appended "wooden legs, crutches, trusses, and elastic bandages, or any apparatus which will require to be worn after the Medical Officer has ceased to attend the case;" the object of this addition is, to do away with causes of dispute continually arising between Guardians and their Medical Officers; some of these are narrated in the Official Circulars of the Poor Law Board. The latter part of the third paragraph referring to the fees for fractures, dislocations, and amputation of separate limbs is different from Art. 180, which only allows one payment in these cases, but surely it is but just to pay a man more for taking off two limbs than one; besides, an accident that destroys two limbs must be of so serious a nature that very considerable attendance and after treatment must be required, and which ought to be paid for. The last paragraph is intended to remove causes of dispute which frequently arise in consequence of accidents being treated by the Medical Officer of a district in which they occur, but on the patient being subsequently removed home, another Medical Officer has to attend him; for instance, a dislocation is reduced by the first officer, but the after treatment falls upon the latter; this clause provides that "the fee shall be divided between them in such proportion as is fair," and in case of dispute as to the actual sum due to each, the Poor Law Board shall decide the question.

\*"On the 4th inst. a labourer broke his leg, but the family considered and treated it as a sprain till the 7th, when believing it to be broken, they applied for an Overseer's Order, which, as the doctor was expected in the village, was refused, on the ground that *all fracture cases were in future to go to the Hospital*, (thus saving the surgical fees). An order was promised in the event of the Doctor finding it was no fracture. The Doctor did not come, and living five miles off, and in the absence of the order, was consequently not sent for. The Relieving Officer was made acquainted with the case on Saturday (10th), who said the Doctor might be there that day, if not he would tell him of it, and though living in the same village, (Woodbury) the Doctor was not procured till the Monday, when, after being told he was not to take charge of the case in the event of fracture, he very properly refused to set the limb without the order. The wife then applied again for the order, which she procured, but with the same reply as to fracture cases being sent to the Hospital. Thus the poor man's leg remained unset for a whole week, and his only prospect of relief was a jolting journey of twelve miles to the Hospital, with the thermometer at tropical heat.—*T. H. S. Pullin's pamphlet, St. Thomas Union, 1859.*

**FEE FOR A SURGICAL CASE WHICH WAS ATTENDED SUCCESSIVELY BY TWO MEDICAL MEN.—To whom Payable.**

A attended a fractured thigh for 14 days, when he resigned, and B took charge of the case. The Commissioners think that A is entitled to the entire fee, and that it cannot be apportioned between the two Officers. The Commissioners would observe that, in cases of this sort, an arrangement ought to be made by the Guardians that the former Medical Officer should complete his attendance on the case, notwithstanding the change of Officers. *Off. Cir. P. L. Board, April, 22, 1841.*

The following extracts from the orders of the Poor Law Board will explain the present state of the law :—

Art. 177. No salary of any District Medical Officer shall include the remuneration for operations and services of the following classes performed by such Medical Officer in that capacity for any out-door pauper, but such operations and services shall be paid for by the Guardians, according to the rates specified in this Article.



1. Treatment of Compound Fractures of the Thigh.....	£	s.	d.
2. Treatment of Compound Fractures or Compound Dislocations of the Leg .....	5	0	0
3. Amputation of Leg, Arm, Foot, or Hand .....			
4. The Operation for Strangulated Hernia.....	3	0	0
5. Treatment of Simple Fractures or Simple Dislocations of the Thigh or Leg.....			
6. Amputation of a Finger or Toe .....	2	0	0
7. Treatment of Dislocations or Fractures of the Arm.....	1	0	0

The above rates shall include the payment for the supply of all kinds of apparatus and splints.

Art. 178. Provided that except in cases of sudden accident immediately threatening life, no Medical Officer shall be entitled to receive such remuneration for any amputation, unless he shall have obtained at his own cost the advice of some Member of the Royal College of Surgeons of London, or some fellow or licentiate of the Royal College of Physicians of London, before performing such amputation, and unless he shall also produce to the Guardians a certificate from such Member of the Royal College of Surgeons, or such fellow or licentiate, stating that in his opinion it was right and proper that such amputation should be then performed.

Art. 179. Provided also, that if in any case the patient has not survived the operation more than thirty-six hours, and has not required and received several attendances after the operation by the Medical Officer who has performed the same, such Medical Officer shall be entitled only to one half of the payments respectively prescribed above.

Art. 180. Provided also, that if several of the fees specified in Art. 177, become payable with respect to the same person at the same time, and in consequence of the same cause or injury, the Medical Officer shall be entitled only to one of such fees, and if they be unequal, to the highest.

Art. 181. In any surgical case, not provided for in Art. 177, which has presented peculiar difficulty, or required and received long attendance from the District Medical Officer, the Guardians may make to the said Medical Officer such reasonable extra allowance as they may think fit, and the Commissioners may approve.

Art. 182. In cases in which any Medical Officer, either for the Workhouse or a district, shall be called on by order of a person legally qualified to make such order, to attend any woman in or immediately after childbirth, or shall, under circumstances of difficulty or danger, without any order, visit any such woman actually receiving relief, or whom the Guardians may subsequently decide to have been in a destitute condition, such Medical Officer shall be paid for his attendance and medicines by a sum of not less than ten shillings, nor more than twenty shillings, according as the Guardians may agree with such officer.

Art. 183. Provided that in any special case in which great difficulty may have occurred in the delivery, or long subsequent attendance in respect of some puerperal malady or affection may have been requisite, any District Medical Officer shall receive the sum of two pounds.

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SECTION 18 Provides for serious surgical cases, not enumerated in the Table of Fees, and gives power to the Poor Law Board to award reasonable extra allowance.

This section is, in substance, in accordance with Art. 181, but there it is stated "the Guardians may make to the said Medical Officer such reasonable extra allowance as they may think fit, and the Commissioners may approve," but this clause makes it imperative on the Guardians to give such extra allowance as the Poor Law Board may think fit.

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SECTION 19 Provides for advice, assistance, and consultations, and fixes the fees at 10s., £1, or £2, according to distance.

By the present law no provision is made for consultations, though they are continually necessary, in fact it is impossible for a Medical man to perform an operation without assistance, and it is often most desirable that a second opinion should be had before the performance is attempted; for these consultations small fees only are proposed, 10s., £1, or £2, according to the distance to be travelled.

## CONSULTATIONS.

"As regards the application you have made for an order for three medical men to assist you in the amputation, I am directed to state that the more regular course under circumstances such as you describe (inability to perform the operation without assistance), is, that the Medical Officer himself (where he deems it needful to do so) should obtain any additional professional aid which may, in his judgment, be necessary; and, after the operation has been performed, submit the facts to the Guardians. It then rests with them to determine whether the case was of such an unusual and exceptional character as to warrant them in making a special allowance for the assistance so rendered. *Off. circular, P. L. Board, Oct. 15, 1857.*

SECTION 20 Provides that the payment of a fee of £5 for an operation shall not be made unless the advice of a registered medical man be procured before its performance, and a certificate be produced of its necessity. It also permits the advice of a registered Medical man, instead of, as at present, confining it to those holding particular qualifications.

This section is, in substance, in accordance with Art. 178, but in the latter, the Medical Officer has to provide, at his own cost, for the advice of a physician or surgeon of one of the London Colleges, whereas in section 19 it is proposed that the Guardians should make this payment. The words "registered Medical man" are now substituted for "a physician or surgeon of one of the London Colleges," as in country places it might be difficult to obtain the advice of one of the latter; besides the Medical Act now recognizes other Medical men, and as the Poor Law Board accepts men with qualifications differing from those of the Colleges of London, and allows them to perform capital operations, it is therefore only just that their opinion of the necessity for their performance should be accepted.

SECTION 21 Provides for the payment of a reasonable fee to any registered Medical man, not a Union Officer of the district, who may render important services in a case of sudden accident, or other cause immediately threatening life.

This section is introduced to provide for accidents, or other causes immediately threatening life, which under emergency are attended by the first Medical man that can be procured; at present no law exists as to the payment; the result is, some Boards of Guardians will give a fee under such circumstances, whilst others refuse. The "provided" attached to Art. 172, is very indefinite, as will be seen by the following quotation; therefore the necessity of the proposed clause.

"Provided that the Guardians, with the approval of the Commissioners, may pay to any officer or person employed by such Guardians, a reasonable compensation on account of extraordinary services, or other unforeseen circumstances connected with the duties of such officer or person, or the necessities of the Union."

## ACCIDENTS ATTENDED BY OTHER THAN THE DISTRICT MEDICAL OFFICER.

The Commissioners are of opinion that, in cases of sickness or accident requiring immediate medical or surgical attendance, and when the services of the Medical Officer cannot be promptly obtained, the Relieving Officer may employ any other medical man to attend the case. (Art. 20, No. 3. order April 21, 1842.)

They also think that in a case of urgency of this nature, in which, in the absence of the Medical Officer, another medical man attends without any order, the Guardians would be justified in paying him for such attendance; provided they subsequently decide that the person so attended was at the time in a destitute condition. As to the amount of the charge for the medical attendance in such a case, that must depend upon the circumstances of each case, and must be settled between the medical man and the Guardians. The fees prescribed by Arts. 10 and 13 of the General Medical Order refer to Medical Officers only. The Commissioners wish to add, that when a medical man (not being a Medical Officer) attends a pauper under the circumstances above described, the Relieving Officer should visit the case as soon as he is made acquainted with it; and the Medical Officer should be directed to attend the case, and relieve the Medical man who had attended in his absence from the charge of it as soon as practicable. *Off. circular, P. L. Board, March 8, 1843.*

SECTION 22 Provides that the Relieving Officer shall arrange for the conveyance of the Medical Officer's books to the Board of Guardians each Board-day.

This section makes it imperative on the Relieving Officer to provide for the conveyance of the Medical Officer's Relief Book to the Board, each week ; at present it is an open question, as will appear by the following quotation :—

“The General Consolidated Order of the 24th July, 1847, Art. 206, No. 4, directs, that the District Medical Officer shall make a return to the Guardians at each ordinary meeting in a book prepared according to a form prescribed. As the duty of making these returns devolves upon the Medical Officer, in strictness it rests with him to provide the means for conveying them to and from the place at which the meetings of the Guardians are held. For this reason it appears to the Board that any direction by the Guardians to the Relieving Officer to convey the returns could not be considered as a direction applicable to his office (within Art. 215, No. 6), which he would be bound to obey. Ordinarily, however, the Relieving Officer will incur very little trouble in bringing with him, to the weekly meetings of the Guardians, the returns of the Medical Officers. It appears that, hitherto, it has been the practice of the Relieving Officer to assist in this matter, which has not only been a convenience to the Medical Officers, but has also been attended by the advantage of insuring regularity in the delivery of the returns. The Board can only say, that it seems to be so reasonable that the Relieving Officers should continue to render this assistance, that the Board can scarcely anticipate that they would decline to do so without any sufficient cause. *Off. circular, P. L. Board, March 26, 1857.*”

SECTION 23 Empowers Boards of Guardians to establish Dispensaries, but limits their power of compelling the poor to send more than six miles for their medicines, or a Medical Officer holding a district extending further than six miles from a Dispensary, if it can be avoided.

This section empowers the Guardians, or Poor Law Board, to establish Dispensaries, but declares that the Guardians shall not compel the poor to send more than six miles to a dispensary for their medicines ; it also limits the extent of a district of a Dispensary Medical Officer to six miles ; it is, in fact, carrying out the same principle with a Dispensary Medical Officer as is affirmed in sec. 11, in regard to a District Medical Officer ; the sole object in each clause being the welfare of the poor. The quotations of the Articles 159, 160, 161, in Sec. 11, apply to this clause also.

The writer of this article was for some years Honorary Surgeon to the Guardians' Dispensary, in Norwich, (the Medical Officers are now paid) and can speak confidently of the advantages of having Dispensaries, and a resident Dispenser for the poor, in all large towns.

No. 140. “I believe it is found advantageous that the drugs should be supplied by the Guardians, in certain Unions, where they can be readily obtained by the poor. I assume that it is advantageous, because where the Guardians have adopted that arrangement they generally adhere to it. I do not remember an instance where a Board of Guardians, having agreed to provide drugs, have abandoned it after a trial.”—*R. B. Cane, Esq.*

No. 142. “In a Union where the population is widely scattered, it would be necessary not only to provide drugs, but a house and dispenser, which would occasion considerable expense, and is the chief obstacle to its being carried out.”—*R. B. Cane, Esq.*

No. 2051. “I think that in towns of a certain population, the medicines should not be provided by the Medical Officers, but in remote rural districts the present system, with some modification, must be continued.”—*H. W. Ramsey, Esq.*

No. 693. “I consider the system of finding drugs, and paying the Medical Officer's salary, has many advantages.”—*J. F. Gilbert, Esq.*

No. 694. “Our drugs are better, because as a Corporation we are able to deal with some of the first houses in the kingdom, and get the best of drugs.”—*J. F. Gilbert, Esq.*



SECTION 24 Fixes the salary of a Medical Officer, who is debarred private practice, on the same terms as other Medical Officers.

This section determines that the salary of a Medical Officer, who is debarred private practice, shall be on the same terms as other Medical Officers; at present the payments to the few officers, who are so employed, are mere arbitrary arrangements between the Guardians and their Medical Officers, and have no reference to the amount of duties they are called upon to perform. It is unwise to give one medical man, even though it may save a few pounds annually, a district so large that it is utterly out of his power to visit the patients so frequently as required. The Poor Law Board have limited the size of the districts to 15,000 acres, and yet there are instances of four and five times that extent being assigned to one man. Fixing the salary in proportion to the work to be performed, will, it is hoped, have the effect of preventing that system of adding district to district, which is so contrary to the second recommendation of the select Committee of the House of Commons, in regard "to the reduction of the area and to the appointment of additional Medical Officers, where the districts are found inconveniently large." The good of the poor will be best consulted by not allowing one or two men to monopolize a large Union, for however zealous they may be, they cannot do impossibilities; the poor must therefore, to a certain extent, be neglected, and many a life endangered, if not lost; besides, an illness from want of prompt and frequent attendance may be prolonged, and the ratepayers as well as the poor suffer.

SECTION 25 Prevents the Guardians contracting with a druggist for medicines and dispensing them for the poor, but empowers them to find them through the medium of their own Medical Officers; or, to purchase the drugs and have them dispensed by a dispenser resident at the dispensary, but who shall not be a visiting Medical Officer.

This section is one of importance, as by it the Guardians are prevented contracting for the supply of medicines; were this not the case, they might procure them by tender, or of some political partizan, for Guardians in Borough Towns are generally elected for their political opinions, and then inferior articles might be furnished. Drugs, upon the purity of which the life of a person may depend, ought to be purchased for dispensaries at wholesale houses, or it would be preferable that the poor Law Board should find them for the Guardians in the same manner as the Army and Navy Boards do for their respective departments, and then the poor would be sure to have the best medicines.

The clause, however, allows the Guardians to continue to find the drugs as at present, through the medium of their Medical Officers, or they may purchase them and have them dispensed at a dispensary of their own, by a resident dispenser, who shall not be a visiting Medical Officer, otherwise he would frequently be away, attending the patients, and then the advantages of having a resident dispenser would be destroyed, as the poor would still have to wait for their medicines until his return home from his journeys.

SECTION 26 Declares that a Medical Officer's salary shall be payable up to the day on which he shall cease to hold office, and no longer.

This section is a transcript of Art. 173, as far as it relates to a Medical Officer, and declares that the salary of a Medical Officer shall be payable up to the day on which he shall cease to hold such office, and no longer.

SECTION 27 Declares that the salary of an Officer who may be suspended and afterwards dismissed, shall be payable up to the day of his suspension only.

This section is a literal copy of Art. 175, and declares that "an Officer who may be suspended, and who may, without the removal of such suspension, be dismissed, shall not be entitled to any salary from the date of such suspension."

**SECTION 28** Declares that cod-liver oil, leeches, requisites for poultices, and a list of drugs and appliances, which shall be drawn up by the Poor Law Board, with the advice of the General Medical Council, shall not be included in any contract with Medical Officers.

This section will remove a cause of frequent complaint between Medical Officers and Boards of Guardians. Cod-liver oil has of late been much employed in the treatment of disease, but its expense is a bar to Union Surgeons using it, hence, for the sake of the poor, it is most desirable that the Guardians should find it, and give it out in the same manner as wine, &c., on the order of their Medical Officer. The use of cod-liver oil has given rise to frequent disputes between Guardians and their Medical Officers, which has resulted in some Boards finding it, and others still refusing to do so. Therefore the necessity of a law on the subject, otherwise the poor must go without it, as the salaries now paid, or even those proposed, cannot bear the expense of such an article.

Leeches are necessary in the treatment of many diseases, and when it is considered that 20 of them are frequently required to be applied at one time, and perhaps, to be repeated, it is obvious that the salary of a Medical Officer—averaging but 3s. 1d. per case, and in many instances only a few pence—cannot meet an expense of 10s. at a time for such a purpose. They ought, therefore, to be found by the Guardians, and then there would be no inducement to withhold them when required.

Some of the other articles named have already been allowed, or sanctioned by the Poor Law Board, as will be seen by the following quotations, but there are others, as sarsaparilla, quinine, &c., which have not been before mentioned. Mr. Esteourt, in his "Scheme," proposed "that a list of more expensive drugs and appliances should be drawn up by the Poor Law Board, with the advice of the Medical Council;" the clause has therefore been drawn to meet his views.

#### APPLIANCES NOT INCLUDED IN MEDICAL CONTRACTS.

The Commissioners are of opinion that cotton-wool and calico are not such articles as a medical man would furnish to a private patient. They are not in the terms "medical and surgical appliances" in the General Order of the Commissioners on "duties of Officers," and, therefore, that they should be furnished at the expense of the Union. *Off. circular, P. L. Board, May 6, 1844.*

#### BREAD FOR POULTICES.

The Commissioners desire to state that as bread for poultices is not supplied by medical men to private patients, and is in fact a household article, they are of opinion that it does not come within the meaning of the words "medical and surgical appliances," as used in the Medical Order, and that it ought therefore to be supplied by the Relieving Officer. *Off. circular, P. L. Board, June 10, 1844.*

#### LINSEED POULTICES.

The Commissioners are disposed to consider that any ingredient kept by druggists, and not forming part of the ordinary consumption of the Workhouse, nor included in the common domestic stores, should, strictly speaking, be furnished by the Medical Officer; and linseed meal is probably of this description. The Commissioners, however, see no objection to the Guardians providing the meal in question. *Off. circular, P. L. Board, June 11, 1847.*

#### LIABILITY OF MEDICAL OFFICERS TO SUPPLY LEECHES.

The Commissioners think that, when the Medical Officer is bound to furnish the medical and surgical appliances, he is bound to furnish leeches, as falling within this description; but the Medical Officer must exercise his own discretion as to the cases in which leeches are requisite. *Off. circular, P. L. Board, May, 1844.*

**SECTION 29** Declares that a Medical Officer shall be free of toll when on duty visiting Union patients in his own district.

This section, which provides that Medical men in visiting their pauper patients shall be free of toll, is so reasonable, that no objection ought to be made to it. It is most desirable to facilitate the visits of the

Medical Officer to the homes of the poor, but when he has to pay for his horse and gig 1s. a time for passing over a single bridge, as is the case in some places, or even a less sum, it must be obvious that with his small pay it operates as a bar to his frequent visits to the poor. Remove all difficulties in his road, and make his path free to the dwellings of the sick. The clergy go free of toll to administer to the spiritual wants of their flock, and why should not the Medical Officer, who attends to their bodily ailments? Soldiers on public duty are also free of toll.

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SECTION 30 Declares that the Poor Law Medical Officer shall be free of tax on one horse, carriage, and man servant.

This section proposes that a Medical Officer shall be free of the tax assessed on one horse, carriage, and man servant, and is so reasonable that I trust no objection will be made to it. There are many examples in its favour—instance, Tradesmen, the Yeomanry, and many Government Officers.

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SECTION 31 Declares that a Medical Officer may direct the kind of diet for the sick, and the relieving officer or master of the workhouse, as the case may be, shall obey such direction until ordered to the contrary by the Guardians; and that meat, wine and brandy, which shall be South African Wine, or Colonial Brandy, unless ordered to the contrary, shall be kept at the workhouse, and given out by the master to all patients for whom they may be ordered, who live within three miles.

This section is of importance to the poor, as at present the Medical Officer has not the power to order meat, wine, &c., for any pauper, however dangerously ill he may be; he can only *recommend*, and the result of that recommendation is, that the Relieving Officer frequently declines to carry it out, by refusing to countersign the order, upon the plea that he is the Relieving Officer, and that upon him devolves the power to give or to withhold relief. This has led to numerous complaints to the Poor Law Board. The advice of the Poor Law Board has been, that the Relieving Officer should obey the recommendations of the Medical Officer until the next Board-day, but notwithstanding this the Relieving Officer privately backed by some of the Guardians,\* frequently disobeys the recommendation. It is, therefore, absolutely necessary that the orders of the Medical Officers should be peremptory on the Relieving Officer, his countersigning being a mere ministerial act, in order that he may know the relief each poor person has. The Board of Guardians alone should have the power of disannulling the recommendations of their Medical Officer. By Art. 108 it is expressly provided that the Master shall obey the direction of the Medical Officer of a Workhouse, as regards diet; why then should not this be the case with the Relieving Officer? The words of the Article are:—"That the Medical Officer may direct in writing such diet for any individual pauper as he may deem necessary, and the Master shall obey such directions until the next ordinary meeting of the Guardians, when he shall report the same in writing to the Guardians."

\*"On the 24th March last, Mr. Carter, the Guardian, stated at a Vestry Meeting, that the St. Thomas Board thought Sick paupers ought to *provide Milk and Mutton for themselves*, which he quite agreed in."—*Extract, Mr. Pullin's pamphlet, 1859.*

"A Labourer, earning 7s. a week, with his wife seriously ill with *muco enteritis*; no parish relief was given, but Mr. Pullin ordered a nurse, equal to one shilling a week, which was refused. He ordered a pint of milk daily (essential in this complaint), which was allowed for fourteen days, and then stopped by the Overseer, who said the Board would not pay for any more. Exhaustion setting in Mr. Pullin then ordered 2 lbs. of mutton, on a Saturday afternoon, but the Overseer dared not allow it, till he had seen Mr. Carter, the Guardian, and the pauper was to send on the Monday, which was done; Mr. Carter had not been seen, and they were to send again on the Wednesday; they did so, and Mr. Carter left word he would not allow it, and referred them to the Relieving



Officer, who on the pay day, Saturday, allowed them *one* pound, warning them they would very likely have to pay for it themselves.

"This poor woman was ill fourteen weeks, and though she required night watching, and extra nourishment, all the parish afforded in that period was relief to the value of less than half a crown, and at the time of the milk being stopped the patient was mentioned in the weekly return to the St. Thomas' Board as requiring a nurse, and remaining ill for the want of extra nourishment!"—*T. H. S. Pullin's pamphlet, St. Thomas Union, 1859.*

That part relative to South African Wine and Colonial Brandy is introduced in order that an inexpensive and yet sufficiently good description may be kept for the poor, instead of the trash which is often found for them by the Relieving Officer, from some common public house, a very high rate of payment frequently being charged.

If an objection be raised to the Master giving out the wine or spirits, then make it the duty, where there is a dispensary, for the dispenser to do so, or else the Relieving Officer.

It is usual for the Guardians to contract with some butcher for the supply of meat. These contracts are taken at a very low price, hence all sorts of pieces are given to the poor; frequently large masses of bone are weighed in and generally the breasts and tails of sheep, and, therefore, the three-and-a-half pounds of meat, usually ordered per week, is in reality not half that quantity of meat capable of being eaten or made into broth. Another objection exists, the butchers compel the poor to take the whole week's allowance at one time, which is most undesirable, as it too frequently leads to the whole being eaten by the family in the first two or three days, and in summer time it is often tainted when given out, and is utterly unfit for food long before the week expires, kept, as it often is obliged to be, in a single room, where the person eats, sleeps, &c. For these reasons it is thought desirable, for the sake of the poor, that the master of a Workhouse, if the sick person live within a reasonable distance of the establishment, should give out the meat, as he has no interest in supplying other than a fair description, besides which, he has the power to give it out fresh and fresh, as he generally receives it at least twice a week. The importance of this subject will be apparent when it is borne in mind there are upwards of 3,000 medical men, whose recommendations will probably average 6 each, per week, or an aggregate of 936,000 in the year.

The bread in most instances is given out at the Workhouse, or at a Station, —why, therefore, should not the meat?

#### RELIEVING OFFICER'S DUTY IN REGARD TO MEDICAL ORDERS.

A Medical Officer is not empowered to order, authoritatively, the supply of food or articles of diet to any sick pauper under his care, though he may certify to the Relieving Officer, what particular necessaries he considers the pauper to require. The Relieving Officer, on receiving such a certificate, will act upon it as he may deem right. He is directed by the General Consolidated Order, Art. 215, No. 15, in every case of a poor person receiving Medical Relief, to supply, until the next meeting of the Guardians, such relief (not being in money) as the ease on his own view, "or on the certificate of the District Medical Officer," may seem to require. The opinion expressed by the Medical Officer in such certificate will be entitled to the greatest weight, both with the Relieving Officer and with the Board of Guardians; and no doubt the Relieving Officer will generally exercise a wise discretion in acting in conformity with it. If in the intervals of the Guardians' meetings, he refuses to furnish the food or other necessaries so recommended by the Medical Officer, he will do so on his own responsibility, and he must be fully prepared to justify the refusal. *Off. Cir. P. L. Board, June 22, 1850.*

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*Section 32 Declares that Medical Relief, only, shall not be deemed Parochial Relief, nor subject the recipient of it to any disqualification whatsoever.*

This section is intended to prevent the disfranchisement which the receipt of Parochial Medical Relief entails. In many towns the Medical Officers are sub-paenaed to produce their books at the Municipal Revision Courts, and the names of all voters found therein, are struck off the register by one political party or the other. A child, to the knowledge of the writer of this

Commentary, died without having had medical advice, because his father, who had previously lost his vote in consequence of another child of his having had medical assistance, would not allow his wife to apply for an order, and thus again be disfranchised. Many other cases might be quoted. A political agent said, "All of our side, in future, must go to the druggist, and I will pay for the medicines." Now the druggist is not a man qualified by education to treat disease. It is computed that thousands die annually, without any medical advice, many of them because their fathers, who, in nine cases out of ten, are of the lowest class of voters, will not risk the loss of their votes, and with them the power of getting as much drink as they please at the expense of the candidates for municipal honours. Surely, with such facts before us, it is not right to let the penal clause stand. It should be no disqualification to have parochial medical advice. An example we have already before us, in the case of vaccination, which it is declared "shall be no disqualification whatever." The Select Committee of the House of Commons in their fifth resolution, recommended "that persons should not be placed on the pauper list through the receipt of medical relief."

Nos. 2089, 2090.—"There is no civil disability attaching to the receipt of medical relief in Belgium, and that should be adopted in this country."—*H. W. Rumsey, Esq.*

"It is immaterial as regards constituting a person a pauper what may be the description of relief which may be ordered him, whether it be food or money or medicine, if it be furnished at the cost of the poor rates. It is the application of the person to be relieved, coupled with the fact of relief being granted, which renders a person a pauper."—*Extract, Off. Cir. August, 9, 1842.*

#### MEDICAL RELIEF SUFFICIENT TO AUTHORIZE REMOVAL.

Medical relief only afforded to an applicant for such relief, and for that alone, is such a constructive chargeability as may authorize Justices to grant orders of removal. *Off. circular, P. L. Board, March, 1843.*

*Section 33 Declares that all payments for Medical assistance related in Sec. 16, shall be a charge upon the Rate of the County in which the Union, Parish, or Incorporation is situate, excepting the payment for Drugs, Dispensaries, and Dispensers, or the sum allowed the Medical Officers for the medicines, which shall be a charge upon the Consolidated Fund, and all other payments a Union charge.*

This section defines the source whence all the payments are to come. By the present law the parishes pay for all the extra fees of the District Medical Officers, and the common fund of the Union for the salaries, the half of the latter being repaid to the Guardians by an annual vote of Parliament. The Poor Law Board, in their Annual Report, under the head of Medical Relief, include the wine and meat ordered for the sick; therefore the entire sum expended under that head does not go into the pocket of the Union Medical Officers. On referring to the return moved for by Lord Elcho, we find that the amount of the salaries paid to the Medical Officers is £177,269 10s. 5d. and for medicines found by the Unions, £8386 19s. 10d., or a total of £185,656; [Nos. 2, 21,] of this sum £313 are the payments to the Medical Officers of the School Districts, and are not calculated in the division; the half of the former sum, £92,828, is the sum now paid by the annual vote of Parliament. The Extra Medical Fees, amounting to £36,386 6s. 4d., are paid by the respective parishes to which the poor belong, excepting in the case of the inmates of the Workhouses, when the common fund of the Union is charged for them. The change proposed is as follows:—

That the charge for acreage at 1d. per acre, amounting to £146,210, and the payment for the cases of illness, which for the year ended March 1857 were returned to Parliament at 1,346,947, at 2s. 6d. each, will amount to £168,368. The payments for visits to 600 Workhouses will amount to rather less than £11,000, if a visit a day at 1s. each be calculated; this, however, on an average will not be required, but as there are some to be paid for at higher rates, the entire sum will average about 1s. The total of these sums £325,578, it is proposed shall be paid out of the County Rate; the burden will then be equally distributed over a large surface, and be little felt by any particular part. The charge for Drugs, Dispensers, and Dispensaries, or the sum of one shilling proposed to be allowed the Poor Law Medical Officers, when they find the medicines, will amount to £67,317, this it is proposed shall be paid for out of the Consolidated

Fund, the present payment, by the annual vote of Parliament, being £92,828, thus causing a saving to Government of £24,481.

The Extra Medical Fees, now amounting to £36,386 6s. 4d., but by a New Table they will probably be increased to £50,000, it is proposed shall be paid for out of the common fund of the Union; the rich parishes will then help to contribute towards those that are poor, as in common justice they ought to do, for it is well known there are many parishes which scarcely pay anything towards the relief of the poor, whilst there are others which are so overburdened with rates, that the houses are actually let for half their real value, the rates being almost as much as the rentals.

The advantage of Government paying the charge of 1s. for each case of illness is this, it will at once enable the Poor Law Board to establish Dispensaries in all large towns, and wherever they may think it desirable; these will be of immense benefit to the poor, as under the present arrangements they have often to wait many hours for the return of the Medical Officer from his rounds, before they can have their medicine, whereas with a dispenser constantly at the Dispensary, the medicines would be immediately furnished.

It is immaterial to the Medical Officers from whence these payments are made; but the writer of this article believes the mode suggested is fair, will equalize the burden, and tend to prevent the opposition of the Guardians, which might be raised where the increased expense thrown on the respective Unions.

On examining the Return moved for by Lord Elcho it will be seen that of those Unions which find medicines for the poor, forty-five have made returns of the amount expended for drugs and the number of cases attended. The cost of the former is £7445 2s. 8d. and the number of the latter 134,003. The cost for drugs for each case of illness varies considerably in different Unions, as will be seen by referring to the Tables, [No. 39,] this may arise from a variety of causes and cannot be relied on in individual cases, but taken as a whole it will be found that the average cost per case of illness is 1s. 1 $\frac{1}{4}$ d. I have, therefore, calculated the cost under this head at 1s. The entire sum now expended for drugs by the Unions, amount to £8386 19s. 10d., but a few have been omitted in the calculations, as the number of cases have not been given; St. Luke's has also been left out, though the cases are returned, because the number of sick are recorded at 47,124, whereas the whole number of poor relieved are only 8125, proving that the record must have been erroneously made.

#### CASE PAYMENTS, A CHARGE ON THE RESPECTIVE PARISHES.

The payments per case to Medical Union Officers, being clearly relief to the particular paupers, should be charged to the respective parishes on whose account it is given, in the same way as ordinary relief to the paupers would be charged. *Off. circular, P. L. Board, 1848.*

#### EXTRA MEDICAL FEES.—Where Chargeable.

They are in fact payments made in respect of particular paupers, and can therefore be distinctly allocated; and they have always been regarded by the Poor Law Commissioners, as well as by the Board, as relief to the several paupers; and consequently chargeable to the same fund as any other relief to those paupers. They ought, therefore, to be charged to the parish or township; and to the common fund of the Union, if the pauper be irremovable, under the 9 and 10 Vic., cap. 66; or otherwise chargeable to the common fund, under the 11 and 12 Vic., cap. 110. *Off. circular, P. L. Board.*

*Section 31 directs the Relieving Officer to affix a mark against the names of those in receipt of Medical Relief only, in order that a calculation may be made of the diseases affecting each class; this it is directed shall be laid before Parliament, together with a list of cases occurring in each Union, of diphtheria, cholera, diarrhœa, continued fever, scarlet fever, measles, hooping cough, and small-pox.*

This section is already, in part, a rule of the Poor Law Board, as will be seen by referring to the Accounts Order, *March 17, 1847*, which says,—“The Clerk, or Medical Officer in possession of the District Medical Relief Book shall, at the end of every half-year, allow each of the Relieving Officers to inspect such books; and each of the Relieving Officers shall, within fourteen days after the end of each of the half-years, inspect the names in such books, and shall affix a mark in red ink against the name of every



pauper who shall not have received any other relief during the half-year, than Medical Relief."

That the foregoing is not universally carried out is, I believe, well-known, the object of the proposed clause will therefore make it imperative, and then a correct register can be kept of the amount of disease affecting the really pauper population of England and Wales. The importance of annually laying before Parliament a statistical account of the preventible diseases occurring in each Union, will be the means of calling public attention to the subject, and if it should be found that certain diseases annually prevail in particular localities, and not in others, then enquiry will be instituted and steps taken to remove the causes that produce them.

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*Section 35 directs the appointment of a Medical Commissioner or Secretary to the Poor Law Board, who it is proposed shall be nominated by the Poor Law Medical Officers.*

This section is one of considerable importance, much more so than most persons would imagine. By the present constitution of the Poor Law Board its President and the other Members form part of the Ministry, and with every change of it are displaced; but even if the President were a permanent officer, it would be almost impossible for him, unless he were a medical man, ever to become thoroughly acquainted with the duties of the three thousand officers who constitute the Medical Staff of the Poor Law Board. Questions are continually arising which require the decision of an experienced Medical Man, and cannot properly be answered by the Poor Law Board, composed as it now is of gentlemen not conversant with medical subjects. The duties proposed to be performed by the Medical Commissioner or Secretary are of a very extensive character, as he would have to report to Parliament the nature of the diseases affecting the sick poor [1,349,947 were attended in 1856—57] and to adjudicate on all matters having reference to the Union Medical Officers, subject to the confirmation of the Poor Law Board. The question of allowing the nomination and election of the said Commissioner or Secretary by the Poor Law Medical Officers is novel, but it would be a most gracious act on the part of Parliament to permit it. His salary could either be fixed by Parliament, or left as it now stands in the clause. The salary of the Medical Officer of the Privy Council would form a precedent as to the amount.

No. 560. "The Medical Commissioner, in Ireland, is one of the five Poor Law Commissioners; he is to all intents and purposes, a Poor Law Commissioner, as well as having peculiar duties with reference to the Medical Charities Act."—*A. Power, Esq.*

No. 562. "He receives, reads, and gives directions upon the papers arising under the Medical Charities Act."—*A. Power, Esq.*

No. 563. "The Poor Law Commissioners, in Ireland, are the Board of Health, and papers connected with this subject come more peculiarly under the notice of the Medical Commissioner."—*A. Power, Esq.*

No. 564. "The duties of the five Medical Inspectors, resemble that of the Poor Law Inspectors, but are confined to the administration of the Medical Charities Act."—*A. Power, Esq.*

No. 588. "We obtain great advantage from a Medical Commissioner in the administration of the Medical Charities Act, and the Poor Law also."—*A. Power, Esq.*

No. 1579. "There should be some sort of central medical authority connected with the Poor Law Board, in the form of a Medical Commissioner, or General Medical Inspector, as there are many cases continually arising which might be much better decided by central medical authority than by Boards of Guardians, or the Poor Law Board itself."—*Rev. C. Kingsley.*

No. 1581. "Medical inspection would be satisfactory to the Medical Officers and the poor."—*Rev. C. Kingsley.*

No. 1701. "I think if there were a Medical Poor Law Inspector, in the character of an Assistant Poor Law Commissioner, to investigate the state of medical relief as it is administered to the poor now, and also the cases of abuses that occasionally are brought before the Boards of Guardians, it would be beneficial to the system in general."—*Dr. J. Griffin.*

No. 1702. "I do not think Sub-Inspectors are so necessary as a General Medical Inspector to investigate cases of neglect brought before Boards of Guardians."—*Dr. J. Griffin.*

No. 1703. "One Medical Inspector would have a great deal to do, but now the cases are brought before non-medical Poor Law Assistant Commissioners, who are not capable of judging as a Medical Poor Law Assistant Commissioner would be, if the case were brought before him."—*Dr. J. Griffin.*

No. 3054. "I would be content with one Medical Inspector at the Board above, to whom reference might be made in cases of dispute involving medical opinions and medical questions."—*H. W. Livett, Esq.*

*Section 36 Declares that Justices of the Peace for Boroughs and Towns shall be ex-officio Guardians.*

This section is introduced to enable Borough Magistrates to act as Ex-officio Guardians in the same way as County Magistrates now do, and thus remove an invidious distinction between the two. At present the election of Guardians is annual, but it is well known that in many Towns the same local politicians are chosen year after year, and in many villages the Guardian is with the exception of the labourers, the sole occupier of the soil, and he annually returns himself. These men, who, with some few exceptions in every Board, are generally little farmers, millers, and shopkeepers, have the control over several millions of money annually, and the welfare of a vast number of people is entrusted to their care; it is therefore most desirable that men of intelligence should have a seat at the Board; and, as the Borough Magistrates are generally men of either influence, education, or property, and hold a respectable position in society, there cannot exist a doubt that they are the men who have a fair claim to a seat at the Board of Guardians, and would by their presence do much to induce a proper administration of the poor-rates, and otherwise greatly improve those Boards, the members of whom are thus described before a Committee of the House of Commons.

No. 1618. "I do not suppose that Guardians are '*hostes humani generis*' any more than other men; my feeling is, wheresoever you give a half-educated man, as the mass of rural Guardians are, considerable power, and that power bearing directly upon his own interest, you must expect that he will use it in a harsh and interested way, unless some one more educated calls out the good which is in every man."—*Rev. C. Kingsley.*

**BOROUGH MAGISTRATES ARE NOT, AS SUCH, EX-OFFICIO GUARDIANS.**

The Commissioners stated that they had been advised, and were of opinion, that the magistrates of a corporate town were not entitled to be considered nor to act as *ex-officio* Guardians. By the 38th sec., Poor Law Amendment Act, the *ex-officio* Guardians were required to be Justices of the Peace residing in any such parish and acting for the county, riding, or division in which the same might be situate. The word "division," when used in conjunction with county and riding, as decided by the case of *Evans v. Stephens*, 4 T. R. 224, 459, did not include cities, boroughs, cinque ports, and such jurisdictions. With regard to the supposed effect of the definition of the words "Justices of the Peace" in the 109th sec., Poor Law Amendment Act, the Commissioners considered that no authority was afforded by that definition for the construction in favour of the right of Justices of boroughs or towns (not being counties) to be *ex-officio* Guardians. That section provided that words "Justice or Justices of the Peace" should be construed to "include Justices of the Peace of any county, division of a county, riding, borough, liberty, division of a liberty, precinct, county of a city, county of a town, cinque port, or town corporate, unless where otherwise provided by this Act." If the word "Justices" in the 38th sec. had been used without any limitation or qualification, the Commissioners thought that it might, with reference to the 109th sec., have been reasonably held to include every species of justice, and therefore Justices of a corporate town. But it was "otherwise provided," in the 38th sec., the Justices therein referred to being termed "Justices of a division." It appeared, therefore, to the Commissioners that the word "Justices" as there used, having a specific meaning or qualification attached to it, did not include Justices who were not within the limitations, *i.e.*, who were not "Justices of the division." *Q. J. circular, P. L. Board, Dec. 10, 1811.*

*Section 37 Declares that the Poor Law Medical Officers shall be Officers of Health, excepting in those places where Officers of Health have been already appointed; but even then, when vacancies occur, the Poor Law Medical Officers shall occupy them, and that their salaries, which shall be paid out of the Consolidated Fund, or the Poor Rates, shall be such as the Privy Council may direct.*

This section is one of immense importance, when it is considered that a body of 3,000 Professional Men, already existing, might at once be employed in the cause of sanitary science—a science which is of vital interest to the 28 millions of this kingdom. The Poor Law Medical Officer is conversant with every nook and corner of his district, and knows of nuisances better than any other man; place him in power, and make it part of his duty to lay before the local authorities the various plague spots that infest his district, and many of the diseases that are now rife will cease to exist. In the metropolis, and a few other places, Officers of Health have been appointed with the best possible results. Let the appointments be extended and the advantages will be manifest.

The Legislature, conversant with its importance, have empowered local Boards to appoint these officers, but they have done so in a few instances only, and will not do it, on account of the expense, unless compelled; but the probability is they would not resist a class of men already in existence having these duties assigned to them. The health of a nation constitutes its wealth; it is therefore only fair that it should pay for its preservation, and that these officers should have such salaries from the Consolidated Fund, or such other source as Parliament or the Privy Council may, from time to time, direct.

An improved sanitary condition of the people would lessen the poor-rates materially.

No. 2070. "Under improved sanitary regulations, I believe that a moiety of the population who require gratuitous medical aid, in some form or other, might be reduced nearly one half, and, therefore, I think it extremely important to prevent the occurrence of sick cases by proper sanitary arrangements, rather than to adopt a system of medical relief which only has reference to the curing of disease."—*H. W. Rumsey, Esq.*

No. 1578. "A Medical Officer knows of nuisances better than any man, and it is he who must tell the Inspector in the long run."—*Rev. C. Kingsley.*

No. 1606. "I think in many cases that the poor pay out of their own pocket for diseases brought upon them by the neglect of others. I have seen many a case of disease which has come on entirely from bad drainage, or bad building of a cottage. I think the greater part of the disease among our labouring poor is preventible disease."—*Rev. C. Kingsley.*

No. 1612. "If perfect sanitary measures were carried out throughout the country, labouring classes, as a body, would be very likely able to pay for their own medical relief, so little disease would there be."—*Rev. C. Kingsley.*

No. 1629. "I think the present system is working very inefficiently as regards the poor."—*Dr. J. Griffin.*

No. 2036. "The duties of the medical staff throughout the country ought to be of a sanitary character, and I do not see how the question of public health, and that of public sickness can ultimately be separated. I would, therefore, recommend an addition to the present Board of Health of a medical section, with adequate powers of superintending medical relief, dispensaries, and various other matters distinctly medical, which are now either neglected, or but imperfectly managed by the present Board of Health."—*H. W. Rumsey.*

No. 2028. "That the administration of medical aid be combined with the regulation of the sanitary condition of the labouring population, and be committed to authorities, central and local, to be constituted expressly for the management of this department."—*H. W. Rumsey, Esq.*



*Section 38 Directs the Registrar to order the District Medical Officer, in all cases of sudden death, where no registered Medical man has attended the deceased, to make enquiries and give a certificate to the Registrar, and also to the coroner, if necessary, as to the probable cause of death. The fee to the Medical Officer to be 5s., with 1s. for mileage, which is to be paid for out of the common fund of the Union.*

This section is one of great value, when it is recollected the vast number of deaths that annually take place, without any medical man having attended the deceased immediately preceding his death; some of these there is little doubt, are from unnatural causes; these are registered upon the mere verbal statement of some unprofessional person who was present at the death. The Coroner's duty used to be to institute an inquiry into cases of sudden death, but it is notorious that in consequence of the over-anxiety of the Magistrates, of late years, to keep down the rates, few inquests comparatively are held, but instead of them, preliminary inquiries. This duty, it is proposed, should be conducted by the Medical Officer of the district, who would be the best judge of the necessity of an inquest, and as he is on the spot, the inquiry by him would be less expensive and more effective than that by the Coroner, unless he be a Medical man.

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The remaining clauses speak for themselves and require no comment, they are as follows:—

*Section 39 Repeals all Statutes or Rules, or Orders and Regulations of the Poor Law Commissioners, or Poor Law Board, which are contrary to this Act.*

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*Section 40 Empowers the Poor Law Board to make Rules, Orders and Regulations, in order to carry out this Act.*

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*Section 41 Directs that a copy of this Act shall be sent to all Poor Law Medical Officers, whether now in office, or hereafter to be appointed, and also all Rules, Orders, and Regulations in reference to their duties, and copies of the Official Circulars of the Poor Law Board, as often as published.*

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*Section 42 Relates to the construction of this Act.*

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*Section 43 Declares that this Act shall embrace all Unions under the Poor Law Board, Gilbert's Acts, or Local Acts, but it shall extend only to England and Wales.*

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*Section 44 Provides that this Act may be amended, or repealed, by any Act to be passed in this present Session of Parliament.*



Divisions.	No.	Number of Out-door Cases treated by the Medical Officers in the year 1886-87.	Present Salaries of the Medical Officers of Districts, including the medicines found by the Guardians.	Total payments by Salary at 3s. 6d. each out-door case of illness and average at one penny per acre.		Total payments by Salary at 3s. 6d. each out-door case of illness and average at three farthings per acre.		Total payments by Salary at 3s. 6d. each out-door case of illness and average at one half-penny per acre.		Average amount now received by Salary for each out-door case of illness if medicines found by the Guardians are included.		Average payment to be received for each out-door case of illness at 2s. 6d. per case and one penny per acre.		Average amount to be received for each out-door case of illness at 2s. 6d. per case and three farthings per acre.		Average amount to be received for each out-door case of illness at 2s. 6d. per case and one half-penny per acre.	
				£	s.	£	s.	£	s.	s.	d.	s.	d.	s.	d.	s.	d.
Total ..		1,094,939	154,729	337,892	301,421	264,788	283,050	246,579	209,946								
The Metropolis	1	200,092	12,120	35,324	35,246	35,169	25,320	25,242	25,165	s. 1	2 1	s. 2	6 1	s. 2	6 1	s. 2	6 1
South-Eastern	2	143,642	23,309	41,109	37,116	33,123	33,927	29,934	25,941	2	2 2	4	8 1	4	1 1	3	7 1
South-Midland	3	115,189	18,339	33,050	29,826	26,602	27,291	24,067	20,843	2	2 2	4	8 1	4	1 1	3	7 1
Eastern .....	4	117,770	15,922	33,180	30,037	26,894	27,292	24,149	21,006	2	8 1	4	7 2	4	0 6	3	6 1
South-Western	5	147,907	21,323	45,910	40,904	35,896	38,515	33,509	28,501	2	10 1	5	2 1	4	4 6	3	10 1
West-Midland	6	113,857	17,704	35,372	31,509	27,647	29,680	25,817	21,955	3	1 1	5	2 1	6	2 1	3	10 1
North-Midland	7	54,914	9,866	23,207	19,888	16,406	20,462	17,143	13,661	3	7	7	5 1	6	2 1	4	11 1
North-Western	8	84,701	12,933	22,164	20,328	18,492	17,929	16,093	14,257	3	0 1	4	2 1	3	9 1	3	4 1
York .....	9	42,273	9,786	21,845	18,232	14,619	19,732	16,119	12,506	4	7	9	4 1	7	7 1	5	11 1
Northern ...	10	25,881	4,754	18,173	14,762	11,351	16,879	13,468	10,057	3	8	13	0 1	10	3 1	7	9 1
Welsh .....	11	48,713	8,583	28,558	23,573	18,589	26,023	21,038	16,054	3	6 1	10	8 1	6	7 1	6	10 1
Loss in Division																	
Total ..		1,094,939	154,729	337,892	301,421	264,788	283,050	246,579	209,946								

DIVISIONS.													Variations in the payment of the Medical Officers, at per case.												
No.	Total amount expended for Medical Relief for the year ended 25th March, 1857, including meat, wine, trusses, &c.	Average payment of the total amount expended for Medical Relief.		Average number of cases attended by each Medical Officer.		Number of In-door cases treated by the Medical Officers in the year 1856—57.		Average amount of payment if each In-door case of Illness be paid for at 5s.		Average amount of Salaries if each In-door case of Illness be paid for at 3s. 6d.		Average amount of Salary if each In-door case of Illness be paid for at 2s. 6d.		Present Salaries of the Medical Officers of Workhouses, if 1s. be deducted from each case of Illness for medicals.		Present Salaries of Medical Officers of Workhouses including the medicals found by the Guardians.		Average present cost for each In-door case of Illness if medicals found by the Guardians are included.		Variations in the payment of the Medical Officers, at per case.					
	£	s.	d.					£	£	£	£	£	£	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.		
1 The Metropolis	21,667	1	5½	1429	89,675	22,418	15,687	11,209	4,483	6,387	2,874	2,874	1,149	3	1	5	1	5	1	5	2 to 23				
2 South-Eastern	33,486	4	0	332	22,996	5,749	4,018	2,874	1,149	3,586	2,874	2,874	1,149	3	1	1½	1½	3	1½	3	8 .. 20				
3 South-Midland	25,383	5	10½	352	15,172	3,793	2,653	1,896	758	2,405	1,896	1,896	758	3	2	6	6	3	2	7 .. 18					
4 Eastern	24,059	3	6½	369	17,210	4,302	3,010	2,151	860	3,023	2,151	2,151	860	3	3	6	6	3	6	7 .. 67					
5 South-Western	27,370	3	3½	320	17,114	4,278	2,989	2,139	855	2,888	2,139	2,139	855	3	4	1	1	3	4	7 .. 21					
6 West-Midland	25,121	3	8	311	20,049	5,012	3,507	2,506	1,002	3,807	2,506	2,506	1,002	3	3	1½	1½	3	3	8 .. 23					
7 North-Midland	13,613	4	3	225	8,901	2,225	1,554	1,112	445	1,158	1,112	1,112	445	2	7	1	1	2	7	7 .. 36					
8 North-Western	19,341	3	6	377	35,488	8,874	6,209	4,437	1,774	4,066	4,437	4,437	1,774	2	3	31	31	2	3	21 .. 51					
9 York	13,203	4	9½	113	11,483	2,870	2,009	1,435	574	1,653	1,435	1,435	574	2	10½	10½	10½	2	10½	9 .. 33					
10 Northern	6,657	3	10½	139	8,381	2,095	1,463	1,047	419	684	1,047	1,047	419	1	7	7	7	1	7	9 .. 46					
11 Welsh	11,654	4	3½	252	5,539	1,384	966	692	276	1,008	692	692	276	3	7	1	1	3	7	10 .. 32					
Loss in Division	4																								
Total	221,558	3	1		252,008	63,000	44,065	31,502	12,595	30,665											7 .. 30				

No.	DIVISIONS.	24	25	26	27	28	29	30	31	32	33	34	35	36
		Amount paid to the Medical Officers for the year ended 25th March, 1857, as extra Medical Fees.	Number of Officers having extra Medical Fees.	Average amount received by extra fees for each out-door case treated in the year 1856-7.	Variations in the payments of the Medical Officers by extra Medical Fees.	Average duration of illness, for those not on the permanent list.	Statute Acres in Medical Officers' Districts.	Amount for acreage at one penny per acre.	Amount of acreage at three farthings per acre.	Amount of acreage at one half-penny per acre.	Average amount of payment if each out-door case of illness be paid for at 5s.	Amount of Salary if each out-door case of illness in 1856-7 were paid for at 3s. 6d.	Amount of Salary if each case of illness in 1856-7 were paid for at 2s. 6d.	Average amount for each out-door case of illness by acreage at one penny per acre.
1	The Metropolis	3,159	106	d. 3	s. 20 to 104	18	74,797	£ 310	£ 232	£ 155	£ 50,023	£ 35,015	£ 25,011	s. d. 2 2
2	South-Eastern	6,518	386	10 $\frac{1}{2}$	12 .. 107	21	3,833,668	15,972	11,979	7,986	35,910	25,137	17,955	2 2
3	South-Midland	4,799	307	9 $\frac{1}{2}$	10 .. 123	21	3,095,393	12,896	9,872	6,448	28,797	20,154	14,395	2 2
4	Eastern .....	5,095	318	1 $\frac{1}{2}$	10 .. 79	24	3,017,514	12,572	9,429	6,286	29,442	20,608	14,720	2 1
5	South-Western	3,158	345	5	7 .. 57	21	4,807,535	20,030	15,024	10,016	36,976	25,880	18,485	2 8
6	West-Midland	3,512	307	7 $\frac{1}{2}$	10 .. 92	23	3,708,472	15,450	11,587	7,725	28,464	19,922	14,230	2 8 $\frac{1}{2}$
7	North-Midland	2,587	223	11 $\frac{1}{2}$	10 .. 63	25	3,264,616	13,602	10,283	6,801	13,728	9,605	6,860	4 11
8	North-Western	2,341	167	6 $\frac{1}{2}$	9 .. 141	23	1,762,604	7344	6,508	3,672	21,175	14,820	10,555	1 8
9	York .....	1,763	269	10	7 .. 41	19	3,468,656	14,452	10,839	7,226	10,568	7,393	5,280	6 10
10	Northern .....	1,216	125	11 $\frac{1}{2}$	5 .. 78	24	3,275,034	13,644	10,233	6,822	6,470	4,529	3,235	10 6
11	Welsh .....	2,232	170	10 $\frac{1}{2}$	3 .. 156	23	4,785,532	19,938	14,953	9,969	12,178	8,620	6,085	8 2
	Loss in Division	6									3			
	Total ..	36,386	2733	8	9 to 94	22	35,093,821	146,210	109,739	73,106	273,734	236,152	136,840	



No.	DIVISIONS.	37	38	39	40	41	42	43	44	45	46	47	48
		Number of Medical Officers non-resident in Districts.	Number of Medical Officers annually appointed.	Average cost of medicines when found by the Guardians, for each case of illness.	Present Salaries of District Medical Officers, if Is. be deducted from each case of illness for medicines.	Average payment to the District Medical Officers for each case of illness, if Is. be deducted for medicines.	Average payment to the District Medical Officers for professional skill and labour for each case of sickness if Is. be deducted from their present salaries as the cost for drugs, and £d. per acre as the charge for horse expenses.	Number of out-door paupers in receipt of relief on an average in the first week in July, 1857, and Jan., 1858.	Amount of salary if each out-door pauper in receipt of relief on an average in July, 1857, and Jan., 1858, were paid for at Is. 6d.	Number of in-door paupers in receipt of relief on an average in July, 1857, and Jan., 1858.	Payment for each in-door pauper in July, 1857, & Jan., 1858, at Is. 6d.	Total number of out-door paupers received during the two half-years ended Sept., 1856, and March, 1857.	Total number of in-door paupers received during the two half-years ended Sept., 1856, and March, 1857.
1	The Metropolis	13	42	0 9 $\frac{1}{2}$	2,116	s. d. 0 2 $\frac{1}{2}$	s. d. 2 $\frac{1}{2}$	52,332	£ 3,924	20,525	£ 1,539	604,188	220,760
2	South-Eastern	144	99	3 1	16,127	0 2 $\frac{1}{2}$	11 $\frac{1}{2}$	73,214	5,490	16,047	1203	801,437	82,604
3	South-Midland	116	72	2 4 $\frac{1}{2}$	12,580	2 2	10 $\frac{1}{2}$	73,467	5,509	13,236	991	242,241	44,753
4	Eastern	117	78	0 11	10,034	1 8 $\frac{1}{2}$	7 $\frac{1}{2}$	62,865	4,714	9,015	675	523,855	56,060
5	South-Western	165	88	11 $\frac{1}{2}$	13,928	1 10 $\frac{1}{2}$	7	106,076	7,954	11,163	836	298,418	48,085
6	West-Midland	133	82	1 8 $\frac{1}{2}$	12,102	2 1	9	75,818	5,685	10,915	817	282,902	48,027
7	North-Midland	75	38	3 $\frac{1}{2}$	7,121	2 7	1 $\frac{1}{2}$	94,327	7,074	6,805	510	144,329	29,639
8	North-Western	57	45	1 0 $\frac{1}{2}$	8,698	2 0 $\frac{1}{2}$	1	93,834	7,036	15,183	1138	262,726	64,634
9	York	121	90	2 1 $\frac{1}{2}$	7,673	3 7	2 $\frac{1}{2}$	51,147	3,859	6,482	486	149,033	29,191
10	Northern	49	38	1 6 $\frac{1}{2}$	3,460	2 8 $\frac{1}{2}$	0	37,494	2,811	4,569	342	100,320	27,981
11	Welsh	54	37	11 $\frac{1}{2}$	6,048	2 5 $\frac{1}{2}$	0	70,528	5,289	3,428	256	203,129	15,756
Total ..		1044	709	1 1 $\frac{1}{2}$	99,887		Average 5 $\frac{3}{4}$	791,102	59,345	117,368	8793	3,122,578	667,490

\* By this mode of calculation the Northern Division will be out of pocket Is. 9 $\frac{3}{4}$ d. per case, and the Welsh District Is. 7d. per case.



